

House Study Bill 643 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act relating to statutory corrections which may adjust
2 language to reflect current practices, insert earlier
3 omissions, delete redundancies and inaccuracies, delete
4 temporary language, resolve inconsistencies and conflicts,
5 update ongoing provisions, or remove ambiguities and
6 providing effective and applicability dates.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 2C.16, subsection 3, Code 2014, is amended to read as follows:

3. If the ombudsman believes that a law resulted in an administrative action ~~has occurred because of laws of which results are~~ is unfair or otherwise objectionable, the ombudsman shall notify the general assembly concerning desirable statutory change.

Sec. 2. Section 6B.4, Code 2014, is amended to read as follows:

6B.4 Commission to assess damages.

1. Annually the board of supervisors of a county shall appoint not less than twenty-eight residents of the county and the names of such persons shall be placed on a list and they shall be eligible to serve as members of a compensation commission. One-fourth of the persons appointed shall be owner-operators of agricultural property, one-fourth of the persons appointed shall be owners of city property, one-fourth shall be licensed real estate salespersons or real estate brokers, and one-fourth shall be persons having knowledge of property values in the county by reason of their occupation, such as bankers, auctioneers, property managers, property appraisers, and persons responsible for making loans on property.

2. a. The chief judge of the judicial district or the chief judge's designee shall select by lot six persons from the list, ~~two~~ who shall constitute a compensation commission to assess the damages to all property to be taken by the applicant and located in the county, as follows:

(1) Two persons who are owner-operators of agricultural property when the property to be condemned is agricultural property; ~~two.~~

(2) Two persons who are owners of city property when the property to be condemned is other than agricultural property;

1 ~~and two.~~

2 (3) Two persons from each of the remaining two
3 representative groups, ~~who shall constitute a compensation~~
4 ~~commission to assess the damages to all property to be taken~~
5 ~~by the applicant and located in the county, and shall name a~~
6 ~~chairperson from the persons selected.~~

7 b. The chief judge or the judge's designee shall name a
8 chairperson from the persons selected and may appoint such
9 alternate members and chairpersons to the commission as are
10 deemed necessary and appropriate under the circumstances. A
11 person shall not be selected as a member or alternate member
12 of the compensation commission if the person possesses any
13 interest in the proceeding which would cause the person to
14 render a biased decision. The applicant shall mail a copy
15 of the list of commissioners and alternates appointed by the
16 chief judge by certified mail to the property owner at the
17 owner's last known address. The applicant shall also cause
18 the list of commissioners and alternates to be published once
19 in a newspaper of general circulation in the county, not less
20 than four nor more than twenty days before the meeting of
21 the compensation commission to assess the damages. Service
22 of the list of commissioners and alternates by publication
23 shall be deemed complete on the day of publication. In
24 lieu of mailing and publishing the list of commissioners and
25 alternates, the applicant may cause the list to be served upon
26 the owner of the property in the manner provided by the Iowa
27 rules of civil procedure for the personal service of original
28 notice. The list of commissioners and alternates shall be
29 mailed and published or served, as above provided, prior to or
30 contemporaneously with service of the notice of assessment as
31 provided in section 6B.8.

32 3. Written instructions for members of compensation
33 commissions shall be prepared under the direction of the chief
34 justice of the supreme court and distributed to the sheriff
35 in each county. The sheriff shall transmit copies of the

1 instructions to each member of a compensation commission, and
2 such instructions shall be read aloud to each commission before
3 it commences its duties.

4 Sec. 3. Section 6B.37, Code 2014, is amended to read as
5 follows:

6 **6B.37 Form of record — certificate.**

7 ~~Said~~ The papers described in sections 6B.35 and 6B.36 shall
8 be securely fastened together, arranged in the order named
9 ~~above in those sections~~, and be accompanied by a certificate
10 of the officer filing the papers that the papers are true and
11 correct copies of the original files in the proceedings and
12 that the statements accompanying the papers are true.

13 Sec. 4. Section 6B.40, Code 2014, is amended to read as
14 follows:

15 **6B.40 Failure to record — liability.**

16 Any sheriff, or clerk of the district court, as the case may
17 be, who fails to present ~~said~~ the required papers, statements,
18 and certificate for record, and any recorder who fails to
19 record the same as ~~above~~ provided in section 6B.38 shall be
20 liable for all damages caused by such failure.

21 Sec. 5. Section 7C.12, subsection 2, paragraph a, Code 2014,
22 is amended to read as follows:

23 a. Shall promulgate rules which are necessary or expedient
24 to carry out the intent and purposes of ~~the private activity~~
25 ~~bond allocation Act~~ this chapter.

26 Sec. 6. Section 9I.3, subsection 3, paragraph d,
27 subparagraphs (5) and (6), Code 2014, are amended to read as
28 follows:

29 ~~(5) Reserved.~~

30 ~~(6)~~ (5) Effective July 1, 2001, a nonresident alien,
31 foreign business, or foreign government or an agent, trustee,
32 or fiduciary of the alien, business, or government shall
33 not, ~~except as provided in subparagraph (5),~~ acquire or hold
34 agricultural land used for the primary purpose of testing,
35 developing, or producing animals.

1 Sec. 7. Section 12C.16, subsection 1, paragraph b,
2 subparagraph (1), subparagraph division (d), Code 2014, is
3 amended to read as follows:

4 (d) To the extent of the guarantee, loans, obligations,
5 or nontransferable letters of credit upon which the payment
6 of principal and interest is fully secured or guaranteed by
7 the United States of America or an agency or instrumentality
8 of the United States of America ~~or the United States central~~
9 ~~credit union~~, a corporate central credit union organized
10 under section 533.213, or a corporate credit union whose
11 activities are subject to regulation by the national credit
12 union administration, and the rating of any one of such credit
13 unions remains within the two highest classifications of prime
14 established by at least one of the standard rating services
15 approved by the superintendent of banking by rule pursuant to
16 chapter 17A. The treasurer of state shall adopt rules pursuant
17 to chapter 17A to implement this section.

18 Sec. 8. Section 12C.17, subsection 1, paragraph c, Code
19 2014, is amended to read as follows:

20 c. The securities shall be deposited with the federal
21 reserve bank, the federal home loan bank of Des Moines, Iowa,
22 ~~or the United States central credit union~~, a corporate central
23 credit union organized under section 533.213, or a corporate
24 credit union whose activities are subject to regulation by the
25 national credit union administration pursuant to a bailment
26 agreement or a pledge custody agreement.

27 Sec. 9. Section 12C.17, subsection 4, Code 2014, is amended
28 to read as follows:

29 4. Upon written request from the appropriate public
30 officer but not less than monthly, the federal reserve bank,
31 the federal home loan bank of Des Moines, Iowa, ~~the United~~
32 ~~States central credit union~~, a corporate central credit union
33 organized under section 533.213, or a corporate credit union
34 whose activities are subject to regulation by the national
35 credit union administration shall report a description, the

1 par value, and the market value of any pledged collateral by a
2 credit union.

3 Sec. 10. Section 16.2, subsection 1, unnumbered paragraph
4 1, Code 2014, is amended to read as follows:

5 An Iowa finance authority board of directors is created. The
6 powers of the authority are vested in and shall be exercised by
7 the board. The ~~board~~ authority includes nine members appointed
8 by the governor subject to confirmation by the senate.

9 Sec. 11. Section 16.197, Code 2014, is amended to read as
10 follows:

11 **16.197 Limitation of liability.**

12 The A member of the authority, a person acting on behalf of
13 the authority while acting within the scope of their employment
14 or agency, or the treasurer of state shall not be subject to
15 personal liability resulting from carrying out the powers and
16 duties of the authority or the treasurer, as applicable, in
17 sections 16.193 through 16.196.

18 Sec. 12. Section 16.221, subsection 3, paragraph c, Code
19 2014, is amended to read as follows:

20 c. Obtain affordable operating capital, ~~including as~~
21 ~~provided by section 175.35.~~

22 Sec. 13. Section 17A.4, subsection 3, paragraph c, Code
23 2014, is amended to read as follows:

24 c. If an objection to a rule is filed under this subsection,
25 a copy of the objection, properly dated, shall be forwarded to
26 the agency at the time of filing the objection. In any action
27 contesting a rule or portion of a rule adopted pursuant to
28 this subsection, the burden of proof shall be on the agency to
29 show that the procedures of subsection 1 were impracticable,
30 unnecessary, or contrary to the public interest ~~and that, if a~~
31 ~~category of rules was involved, the category was very narrowly~~
32 ~~tailored.~~

33 Sec. 14. Section 17A.4, subsection 5, Code 2014, is amended
34 to read as follows:

35 5. ~~No A rule adopted after July 1, 1975,~~ is not valid unless

1 adopted in substantial compliance with the ~~above~~ requirements
2 of this section that are in effect at the time of adoption of
3 the rule. However, a rule shall be conclusively presumed to
4 have been made in compliance with all of the ~~above~~ procedural
5 requirements of this section if it has not been invalidated on
6 the grounds of noncompliance in a proceeding commenced within
7 two years after its effective date.

8 Sec. 15. Section 17A.4, subsection 9, Code 2014, is amended
9 to read as follows:

10 9. Upon the vote of two-thirds of its members, the
11 administrative rules review committee, following notice of
12 intended action as provided in subsection 1 and prior to
13 adoption of a rule pursuant to that notice, may suspend further
14 action relating to that notice for seventy days. Notice ~~of~~
15 that a notice of intended action ~~that~~ was suspended under this
16 provision shall be published in the Iowa administrative code
17 and bulletin.

18 Sec. 16. Section 23.6, subsection 6, Code 2014, is amended
19 to read as follows:

20 6. ~~The board may examine~~ Examine, as deemed necessary by
21 the board, a record of a governmental body or a government body
22 that is the subject matter of a complaint, including any record
23 that is confidential by law. Confidential records provided to
24 the board by a governmental body or a government body shall
25 continue to maintain their confidential status. Any member
26 or employee of the board is subject to the same policies and
27 penalties regarding the confidentiality of the document as an
28 employee of the governmental body or a the government body.

29 Sec. 17. Section 23.9, Code 2014, is amended to read as
30 follows:

31 **23.9 Informal assistance.**

32 After accepting a complaint, the board shall promptly work
33 with the parties, through employees ~~on its own staff of the~~
34 board, to reach an informal, expeditious resolution of the
35 complaint.

1 Sec. 18. Section 24.13, Code 2014, is amended to read as
2 follows:

3 **24.13 Procedure by levying board.**

4 Any board which has the power to levy a tax without the same
5 first being certified to it, shall follow the same procedure
6 for hearings as is ~~hereinbefore~~ required of certifying boards
7 under this chapter.

8 Sec. 19. Section 28D.6, subsection 4, Code 2014, is amended
9 to read as follows:

10 4. Any employee of a sending agency assigned in this
11 state who suffers disability or death as a result of personal
12 injury arising out of and in the course of such assignment, or
13 sustained in the performance of duties in connection therewith,
14 shall be treated for the purpose of the receiving agency's
15 employee compensation program, as an employee, as defined in
16 such compensation program, who has sustained such injury in the
17 performance of such duty, but shall not receive benefits under
18 that compensation program for any period for which the employee
19 elects to receive similar benefits as an employee under the
20 sending agency's employee compensation program.

21 Sec. 20. Section 29A.50, Code 2014, is amended to read as
22 follows:

23 **29A.50 Immunity.**

24 The commanding officer and members of any of the military
25 forces engaged in the suppression of an insurrection,
26 assistance to civil authorities in emergencies, homeland
27 defense, or security duties, or the enforcement of the laws,
28 shall have the same immunity as peace officers.

29 Sec. 21. Section 35D.2, subsection 1, Code 2014, is amended
30 to read as follows:

31 1. Persons described in section 35D.1 who are disabled by
32 disease, injury, or old age, and who meet the qualifications
33 for nursing or residential care, and who are unable to earn a
34 livelihood, and who are residents of the state of Iowa on the
35 date of the application and immediately preceding the date the

1 application is accepted, may be admitted to the home as members
2 under rules adopted by the commission. The commission shall
3 adopt rules to emphasize the admission of homeless honorably
4 discharged veterans. Eligibility determinations are subject
5 to approval by the commandant.

6 Sec. 22. Section 80D.12, subsection 2, Code 2014, is amended
7 to read as follows:

8 2. For reserve ~~police~~ peace officers of a tribal government,
9 hospital and medical assistance and benefits shall be provided
10 by the tribal government to members of the reserve force who
11 sustain injury while performing official duties in the same
12 manner as for a regular peace officer of the tribal government.

13 Sec. 23. Section 89.3, subsection 8, Code 2014, is amended
14 to read as follows:

15 8. Inspections of unfired steam pressure vessels operating
16 in excess of fifteen pounds per square inch and low pressure
17 steam boilers shall be conducted at least once each calendar
18 year. The inspections conducted ~~over~~ within each two-year
19 period shall include an external inspection conducted while
20 the boiler is operating and an internal inspection, where
21 construction permits. No more than one inspection shall be
22 conducted ~~over~~ a per six-month period. An internal inspection
23 of an unfired steam pressure vessel or low pressure steam
24 boiler may be required at any time by the commissioner upon the
25 observation by an inspector of conditions, enumerated by the
26 commissioner through rules, warranting an internal inspection.

27 Sec. 24. Section 101.21, subsection 1, paragraph a, Code
28 2014, is amended to read as follows:

29 a. An aboveground tank which ~~complies with~~ meets any of the
30 following criteria:

31 (1) Has one thousand one hundred gallons or less capacity.

32 (2) Stores flammable liquids on a farm located outside the
33 limits of a city, if the aboveground tank has two thousand
34 gallons or less capacity.

35 (3) Stores combustible liquids on a farm located outside

1 the limits of a city, if the aboveground tank has five thousand
2 gallons or less capacity.

3 Sec. 25. Section 101A.2, subsection 4, Code 2014, is amended
4 to read as follows:

5 4. Except as permitted in section 101A.3 and sections
6 101A.9 ~~to~~ through 101A.11, it shall be unlawful for any person
7 to willfully manufacture, import, store, detonate, sell, or
8 otherwise transfer any explosive materials unless such person
9 is the holder of a valid license issued pursuant to this
10 section.

11 Sec. 26. Section 105.10, subsection 2, Code 2014, is amended
12 to read as follows:

13 2. Except as provided in section 105.11, a person shall not
14 engage in the business of designing, installing, or repairing
15 plumbing, mechanical, HVAC, refrigeration, sheet metal, or
16 hydronic systems unless at all times a licensed master, who
17 shall be responsible for the proper designing, installing, and
18 repairing of the plumbing, HVAC, refrigeration, sheet metal,
19 or hydronic system, is employed by the person and is actively
20 in charge of the plumbing, mechanical, HVAC, refrigeration,
21 sheet metal, or hydronic work of the person. An individual who
22 performs such work pursuant to a business operated as a sole
23 proprietorship shall be a licensed master in the applicable
24 discipline.

25 Sec. 27. Section 123.3, subsection 5, Code 2014, is amended
26 to read as follows:

27 5. "*Alcoholic liquor*" or "*intoxicating liquor*" means the
28 varieties of liquor defined in subsections 3 and 43 which
29 contain more than five percent of alcohol by weight, beverages
30 made as described in subsection 7 which beverages contain more
31 than five percent of alcohol by weight or six and twenty-five
32 hundredths percent of alcohol by volume but which are not
33 wine as defined in subsection 47 or high alcoholic content
34 beer as defined in subsection 19, and every other liquid or
35 solid, patented or not, containing spirits and every beverage

1 obtained by the process described in subsection 47 containing
2 more than seventeen percent alcohol by weight or twenty-one
3 and twenty-five hundredths percent of alcohol by volume, and
4 susceptible of being consumed by a human being, for beverage
5 purposes. Alcohol manufactured in this state for use as fuel
6 pursuant to an experimental distilled spirits plant permit or
7 its equivalent issued by the federal bureau of alcohol, tobacco
8 and firearms is not an "*alcoholic liquor*".

9 Sec. 28. Section 123.30, subsection 1, paragraph b, Code
10 2014, is amended to read as follows:

11 b. As a condition for issuance of a liquor control license
12 or wine or beer permit, the applicant must give consent to
13 members of the fire, police, and health departments and the
14 building inspector of cities; the county sheriff, or deputy
15 sheriff, ; members of the department of public safety, ;
16 representatives of the division and of the department of
17 inspections and appeals, ; certified police officers, ; and
18 any official county health officer to enter upon areas of
19 the premises where alcoholic beverages are stored, served,
20 or sold, without a warrant during business hours of the
21 licensee or permittee to inspect for violations of this
22 chapter or ordinances and regulations that cities and boards
23 of supervisors may adopt. However, a subpoena issued under
24 section 421.17 or a warrant is required for inspection of
25 private records, a private business office, or attached living
26 quarters. Persons who are not certified peace officers shall
27 limit the scope of their inspections of licensed premises
28 to the regulatory authority under which the inspection is
29 conducted. All persons who enter upon a licensed premises to
30 conduct an inspection shall present appropriate identification
31 to the owner of the establishment or the person who appears
32 to be in charge of the establishment prior to commencing
33 an inspection; however, this provision does not apply to
34 undercover criminal investigations conducted by peace officers.

35 Sec. 29. Section 123.138, subsection 1, Code 2014, is

1 amended to read as follows:

2 1. Each class "A" or special class "A" permittee shall
3 keep proper records showing the amount of beer sold by the
4 permittee, and these records shall be at all times open to
5 inspection by the administrator and to other persons pursuant
6 to section 123.30, subsection 1. Each class "B" permittee,
7 class "C" permittee, ~~and~~ or retail liquor control licensee
8 shall keep proper records showing each purchase of beer made
9 by the permittee ~~and~~ or licensee, and the date and the amount
10 of each purchase and the name of the person from whom each
11 purchase was made, which records shall be open to inspection
12 pursuant to section 123.30, subsection 1, during normal
13 business hours of the permittee or licensee.

14 Sec. 30. Section 125.10, subsection 16, Code 2014, is
15 amended to read as follows:

16 16. Encourage all health and disability insurance programs
17 to include ~~substance abuse~~ substance-related disorders as a
18 covered ~~illness~~ illnesses.

19 Sec. 31. Section 135C.41, Code 2014, is amended to read as
20 follows:

21 **135C.41 Licensee's response to citation.**

22 Within twenty business days after service of a citation
23 under section 135C.40, a facility shall ~~either~~ do one of the
24 following:

25 1. If ~~it~~ the facility does not desire to contest the
26 citation, take one of the following actions:

27 a. Remit to the department the amount specified by the
28 department pursuant to section 135C.36 as a penalty for each
29 Class I violation cited, and for each Class II violation unless
30 the citation specifically waives the penalty, which funds shall
31 be paid by the department into the state treasury and credited
32 to the general fund, ~~or~~.

33 b. In the case of a Class II violation for which the penalty
34 has been waived in accordance with the standards prescribed in
35 section 135C.36, subsection 2, or a Class III violation, send

1 to the department a written response acknowledging that the
2 citation has been received and stating that the violation will
3 be corrected within the specific period of time allowed by the
4 citation;~~or.~~

5 2. ~~Notify~~ If the facility desires to contest the citation,
6 notify the director that the facility desires to contest the
7 citation and request an informal conference with an independent
8 reviewer pursuant to section 135C.42.

9 Sec. 32. Section 144A.2, subsection 8, paragraph b, Code
10 2014, is amended to read as follows:

11 b. "*Life-sustaining procedure*" does not include the
12 provision of nutrition or hydration except when required
13 to be provided parenterally or through intubation, or the
14 administration of medication or performance of any medical
15 procedure deemed necessary to provide comfort care or to
16 alleviate pain.

17 Sec. 33. Section 159.18, subsection 3, Code 2014, is amended
18 to read as follows:

19 3. The department shall cooperate with private institutions
20 and public agencies in order to carry out this section,
21 including the economic development authority, the Iowa finance
22 authority, and the United States department of agriculture.

23 Sec. 34. Section 161A.44, Code 2014, is amended to read as
24 follows:

25 **161A.44 Rules by commissioners — scope.**

26 1. The commissioners of each soil and water conservation
27 district shall, with approval of and within time limits set by
28 administrative order of the state soil conservation committee,
29 adopt reasonable regulations as are deemed necessary to
30 establish a soil loss limit or limits for the district and
31 provide for the implementation of the limit or limits, and
32 may subsequently amend or repeal their regulations as they
33 deem necessary. The committee shall review the soil loss
34 limit regulations adopted by the soil and water conservation
35 districts at least once every five years, and shall recommend

1 changes in the regulations of a soil and water conservation
2 district which the committee deems necessary to assure that the
3 district's soil loss limits are reasonable and attainable. The
4 commissioners may:

5 1. a. Classify land in the district on the basis of
6 topography, soil characteristics, current use, and other
7 factors affecting propensity to soil erosion.

8 2. b. Establish different soil loss limits for different
9 classes of land in the district if in their judgment and that
10 of the state soil conservation committee a lower soil loss
11 limit should be applied to some land than can reasonably be
12 applied to other land in the district, it being the intent of
13 the general assembly that no land in the state be assigned a
14 soil loss limit that cannot reasonably be applied to such land.

15 3. c. Require the owners of real property in the district
16 to employ either soil and water conservation practices or
17 erosion control practices, and:

18 ~~a. May not specify the particular practices to be employed~~
19 ~~so long as such owners voluntarily comply with the applicable~~
20 ~~soil loss limits established for the district.~~

21 ~~b. May~~ may specify two or more approved soil and water
22 conservation practices or erosion control practices, one of
23 which shall be employed by the landowner to bring erosion from
24 land under the landowner's control within the applicable soil
25 loss limit of the district when an administrative order is
26 issued to the landowner.

27 ~~c. In no case may the commissioners require:~~

28 ~~(1) The employment of erosion control practices as defined~~
29 ~~in section 161A.42, subsection 4, on land used in good faith~~
30 ~~for agricultural or horticultural purposes only.~~

31 ~~(2) The employment of soil and water conservation practices~~
32 ~~or erosion control practices on that portion of any public~~
33 ~~street, road or highway completed or under construction within~~
34 ~~the corporate limits of any city, which is or will become the~~
35 ~~traveled or surfaced portion of such street, road, or highway.~~

1 ~~(3) That any owner or operator of agricultural land refrain~~
2 ~~from fall plowing of land on which the owner or operator~~
3 ~~intends to raise a crop during the next succeeding growing~~
4 ~~season, however on those lands which are prone to excessive~~
5 ~~wind erosion the commissioners may require that reasonable~~
6 ~~temporary measures be taken to minimize the likelihood of wind~~
7 ~~erosion so long as such measures do not unduly increase the~~
8 ~~cost of operation of the farm on which the land is located.~~
9 ~~However, fall plowing of soil which is commonly known as gumbo~~
10 ~~shall always be permitted.~~

11 ~~d. May require~~ Require that a person under an order to
12 employ soil and water conservation practices or erosion control
13 practices submit up to three bids to the commissioners for the
14 work and provide an explanation to the commissioners if a bid
15 other than the lowest bid has been selected by that person.

16 2. The commissioners shall not:

17 a. Specify the particular practices to be employed by
18 owners of real property in the district, so long as such
19 owners voluntarily comply with the applicable soil loss limits
20 established for the district.

21 b. Require the employment of erosion control practices as
22 defined in section 161A.42, subsection 4, on land used in good
23 faith for agricultural or horticultural purposes only.

24 c. Require the employment of soil and water conservation
25 practices or erosion control practices on that portion of any
26 public street, road, or highway completed or under construction
27 within the corporate limits of any city, which is or will
28 become the traveled or surfaced portion of such street, road,
29 or highway.

30 d. Require that any owner or operator of agricultural
31 land refrain from fall plowing of land on which the owner or
32 operator intends to raise a crop during the next succeeding
33 growing season, however on those lands which are prone to
34 excessive wind erosion the commissioners may require that
35 reasonable temporary measures be taken to minimize the

1 likelihood of wind erosion so long as such measures do not
2 unduly increase the cost of operation of the farm on which
3 the land is located. However, fall plowing of soil which is
4 commonly known as gumbo shall always be permitted.

5 Sec. 35. Section 172A.10, Code 2014, is amended to read as
6 follows:

7 **172A.10 Injunctions — criminal penalties.**

8 1. If any person who is required by this chapter to be
9 licensed fails to obtain the required license, or if any person
10 who is required by this chapter to maintain proof of financial
11 responsibility fails to maintain such proof, or if any licensee
12 fails to discontinue engaging in licensed activities when that
13 person's license has been suspended, such failure shall be
14 deemed a nuisance and the secretary may bring an action on
15 behalf of the state to enjoin such nuisance. Such actions may
16 be heard on not less than five days' notice to the person whose
17 activities are sought to be enjoined. The failure to obtain
18 a license when required, or the failure to maintain proof of
19 financial responsibility shall constitute a violation of this
20 chapter.

21 2. Any person convicted of violating any provision of this
22 chapter shall be guilty of a serious misdemeanor.

23 Sec. 36. Section 175.31, Code 2014, is amended to read as
24 follows:

25 **175.31 Programs in progress.**

26 The authority shall complete the administration of programs
27 in progress on July 1, 1980, to the extent that funds were
28 committed, obligations incurred or rights accrued prior to July
29 1, 1980, under the programs authorized under sections 234.15
30 to 234.20, ~~prior to the repeal of those sections~~ Code 1979.
31 Moneys received under this section shall be deposited to the
32 authority.

33 Sec. 37. Section 175.37, subsection 4, unnumbered paragraph
34 1, Code 2014, is amended to read as follows:

35 The tax credit is allowed only for agricultural assets that

1 are subject to an agricultural assets transfer agreement. The
2 agreement shall provide for the lease of agricultural land
3 located in this state, including any improvements, and may
4 provide for the rental of agricultural equipment as defined in
5 section 322F.1.

6 Sec. 38. Section 203.10, subsection 2, Code 2014, is amended
7 to read as follows:

8 2. The department may issue an order to suspend or revoke
9 the license of a grain dealer who violates a provision of this
10 chapter, including a rule adopted in accordance with this
11 chapter, pursuant to chapter 17A.

12 Sec. 39. Section 203C.10, subsection 2, Code 2014, is
13 amended to read as follows:

14 2. The department may issue an order to suspend or revoke
15 the license of a warehouse operator who violates a provision of
16 this chapter, including a rule adopted in accordance with this
17 chapter, pursuant to chapter 17A.

18 Sec. 40. Section 203C.15, subsection 10, paragraph d, Code
19 2014, is amended to read as follows:

20 d. Warehouse operators and owners of bulk grain.

21 Sec. 41. Section 206.2, subsection 1, unnumbered paragraph
22 1, Code 2014, is amended to read as follows:

23 ~~The term "active ingredient"~~ "Active ingredient" means:

24 Sec. 42. Section 206.2, subsections 2, 3, 10, 11, 13, and
25 14, Code 2014, are amended to read as follows:

26 2. ~~The term "adulterated"~~ "Adulterated" shall apply to any
27 pesticide if its strength or purity falls below the professed
28 standard or quality as expressed on labeling or under which it
29 is sold, or if any substance has been substituted wholly or in
30 part for the article, or if any valuable constituent of the
31 article has been wholly or in part abstracted.

32 3. ~~The term "antidote"~~ "Antidote" means the most practical
33 immediate treatment in case of poisoning and includes first aid
34 treatment.

35 10. ~~The term "device"~~ "Device" means any instrument or

1 contrivance intended for trapping, destroying, repelling, or
2 mitigating insects, birds, or rodents or destroying, repelling,
3 or mitigating fungi, nematodes, weeds, or such other pests as
4 may be designated by the secretary, but not including equipment
5 used for the application of pesticides when sold separately
6 therefrom.

7 11. ~~The term "distribute"~~ "Distribute" means to offer for
8 sale, hold for sale, sell, barter, or supply pesticides in this
9 state.

10 13. ~~The term "hazard"~~ "Hazard" means a probability that
11 a given pesticide will have an adverse effect on man or the
12 environment in a given situation, the relative likelihood
13 of danger or ill effect being dependent on a number of
14 interrelated factors present at any given time.

15 14. ~~The term "inert ingredient"~~ "Inert ingredient" means an
16 ingredient which is not an active ingredient.

17 Sec. 43. Section 206.2, subsection 15, unnumbered paragraph
18 1, Code 2014, is amended to read as follows:

19 ~~The term "ingredient statement"~~ "Ingredient statement" means
20 either:

21 Sec. 44. Section 206.2, subsection 16, Code 2014, is amended
22 to read as follows:

23 16. ~~The term "label"~~ "Label" means the written, printed,
24 or graphic matter on, or attached to, the pesticide or device,
25 or the immediate container thereof, and the outside container
26 or wrapper of the retail package, if any there be, of the
27 pesticide or device.

28 Sec. 45. Section 206.2, subsection 17, unnumbered paragraph
29 1, Code 2014, is amended to read as follows:

30 ~~The term "labeling"~~ "Labeling" means all labels and other
31 written, printed, or graphic matter:

32 Sec. 46. Section 206.2, subsection 18, unnumbered paragraph
33 1, Code 2014, is amended to read as follows:

34 ~~The term "misbranded"~~ "Misbranded" shall apply:

35 Sec. 47. Section 206.2, subsections 19, 20, 21, 22, 23, 26,

1 27, 30, and 31, Code 2014, are amended to read as follows:

2 19. ~~The term "permit"~~ "Permit" means a written certificate,
3 issued by the secretary or the secretary's agent under rules
4 adopted by the department authorizing the use of certain state
5 restricted use pesticides.

6 20. ~~The term "person"~~ "Person" means any individual,
7 partnership, association, corporation, or organized group of
8 persons whether incorporated or not.

9 21. ~~The term "pesticide" shall mean (a) any~~ "Pesticide"
10 means any of the following:

11 a. Any substance or mixture of substances intended for
12 preventing, destroying, repelling, or mitigating directly or
13 indirectly any insects, rodents, nematodes, fungi, weeds, and
14 other forms of plant or animal life or viruses, except viruses
15 on or in living persons, which the secretary shall declare to
16 be a pest, ~~and (b) any.~~

17 b. Any substances intended for use as a plant growth
18 regulator, defoliant, or desiccant.

19 22. ~~The term "pesticide dealer"~~ "Pesticide dealer" means any
20 person who distributes restricted use pesticides, pesticide
21 for use by commercial or public pesticide applicators, or
22 general use pesticides labeled for agricultural or lawn and
23 garden use with the exception of dealers whose gross annual
24 pesticide sales are less than ten thousand dollars for each
25 business location owned or operated by the dealer.

26 23. ~~The term "plant growth regulator"~~ "Plant growth
27 regulator" means any substance or mixture of substances
28 intended, through physiological action, for accelerating or
29 retarding the rate of growth or rate of maturation, or for
30 otherwise altering the behavior of ornamental or crop plants
31 or the produce thereof, but shall not include substances to
32 the extent that they are intended as plant nutrients, trace
33 elements, nutritional chemicals, plant inoculants, and soil
34 amendments.

35 26. ~~The term "registrant"~~ "Registrant" means the person

1 registering any pesticide or device or who has obtained a
2 certificate of license from the department pursuant to the
3 provisions of this chapter.

4 27. ~~The term "restricted use pesticide"~~ "Restricted use
5 pesticide" means any pesticide restricted as to use by rule of
6 the secretary as adopted under section 206.20.

7 30. ~~The term "under the direct supervision of"~~ "Under the
8 direct supervision of" means the act or process whereby the
9 application of a pesticide is made by a competent person acting
10 under the instructions and control of a certified applicator
11 or a state licensed commercial applicator who is available
12 if and when needed, even though such certified applicator is
13 not physically present at the time and place the pesticide is
14 applied.

15 31. ~~The term "unreasonable adverse effects on the~~
16 ~~environment"~~ "Unreasonable adverse effects on the environment"
17 means any unreasonable risk to man or the environment, taking
18 into account the economic, social, and environmental costs and
19 benefits of the use of any pesticide.

20 Sec. 48. Section 216A.2, subsection 2, Code 2014, is amended
21 to read as follows:

22 2. The department director is the chief administrative
23 officer of the department and in that capacity administers
24 the programs and services of the department in compliance
25 with applicable federal and state laws and regulations.
26 The duties of the department director include preparing a
27 budget, establishing an internal administrative structure, and
28 employing personnel.

29 Sec. 49. Section 230.2, Code 2014, is amended to read as
30 follows:

31 **230.2 Finding of residence.**

32 If a person's residency status is disputed, the residency
33 shall be determined in accordance with section 331.394.
34 Otherwise, the district court may, when the person is
35 ordered placed in a hospital for psychiatric examination and

1 appropriate treatment, or as soon thereafter as the court
2 obtains the proper information, ~~determine~~ make one of the
3 following determinations and enter of record whether the
4 residence of the person is in a county or the person is deemed
5 to be a state case, as follows:

6 1. ~~In~~ That the person's residence is in the county from
7 which the person was placed in the hospital.

8 2. ~~In~~ That the person's residence is in another county of
9 the state.

10 3. ~~In~~ That the person's residence is in a foreign state or
11 country and the person is deemed to be a state case.

12 4. ~~Unknown~~ That the person's residence is unknown and the
13 person is deemed to be a state case.

14 Sec. 50. Section 230.11, Code 2014, is amended to read as
15 follows:

16 **230.11 Recovery of costs from state.**

17 Costs and expenses attending the taking into custody,
18 care, and investigation of a person who has been admitted
19 or committed to a state hospital, United States department
20 of veterans affairs hospital, or other agency of the United
21 States government, for persons with mental illness and who
22 has no residence in this state or whose residence is unknown,
23 including cost of commitment, if any, shall be paid as a state
24 case as approved by the administrator. The amount of the costs
25 and expenses approved by the administrator is appropriated
26 to the department from any money in the state treasury not
27 otherwise appropriated~~7~~. Payment shall be made on itemized
28 vouchers executed by the auditor of the county which has paid
29 them, and approved by the administrator.

30 Sec. 51. Section 230.34, Code 2014, is amended to read as
31 follows:

32 **230.34 Definitions.**

33 As used in this chapter, unless the context otherwise
34 requires:

35 1. ~~As used in this chapter, "administrator"~~ "Administrator"

1 means the administrator of the department of human services
2 assigned, in accordance with section 218.1, to control the
3 state mental health institutes, or that administrator's
4 designee.

5 2. ~~As used in this chapter, "auditor"~~ "Auditor" means the
6 county auditor or the auditor's designee.

7 3. ~~As used in this chapter, unless the context otherwise~~
8 ~~requires, "book"~~ "Book", "list", "record", or "schedule" kept
9 by a county auditor, assessor, treasurer, recorder, sheriff,
10 or other county officer means the county system as defined in
11 section 445.1.

12 4. ~~As used in this chapter, unless the context otherwise~~
13 ~~requires, "department"~~ "Department" means the department of
14 human services.

15 Sec. 52. Section 231.4, subsection 1, paragraph j, Code
16 2014, is amended to read as follows:

17 j. *"Home and community-based services"* means a continua of
18 services available in an individual's home or community which
19 include but are not limited to case management, ~~homemaker,~~
20 ~~home~~ homemaker-home health aide, personal care, adult day,
21 respite, home delivered meals, nutrition counseling, and other
22 medical and social services which contribute to the health and
23 well-being of individuals and their ability to reside in a home
24 or community-based care setting.

25 Sec. 53. Section 232.80, Code 2014, is amended to read as
26 follows:

27 **232.80 Homemaker services.**

28 A homemaker-home health aide may be assigned to give care to
29 a child in the child's place of residence. Whenever possible,
30 the services shall be provided in preference to removal of
31 the child from the home. The care may be provided under this
32 ~~Act~~ chapter on an emergency basis for up to twenty-four hours
33 without court order, and may be ordered by the court for a
34 period of time extending until dismissal or disposition of the
35 case.

1 Sec. 54. Section 232.90, subsection 4, Code 2014, is amended
2 to read as follows:

3 4. The county attorney and the attorney general shall comply
4 with the requirements of chapter 232B and the federal Indian
5 Child Welfare Act, Pub. L. No. 95-608, when either chapter 232B
6 or the federal Indian Child Welfare Act is determined to be
7 applicable in any proceeding under this division.

8 Sec. 55. Section 232.102, subsection 3, Code 2014, is
9 amended to read as follows:

10 3. After a dispositional hearing and upon written
11 findings of fact based upon evidence in the record that an
12 alternative placement set forth in subsection 1, paragraph
13 "a", subparagraph (1), has previously been made and is not
14 appropriate the court may enter an order transferring the
15 guardianship of the child for the purposes of subsection 8 9,
16 to the director of human services for the purposes of placement
17 in the Iowa juvenile home at Toledo.

18 Sec. 56. Section 249A.47, subsection 1, paragraph h, Code
19 2014, is amended to read as follows:

20 h. A provider who intentionally and purposefully and without
21 good cause fails to grant timely access, upon reasonable
22 request ~~and without good cause~~, to the department for the
23 purpose of audits, investigations, evaluations, or other
24 functions of the department, is subject to a civil penalty of
25 fifteen thousand dollars for each day of the failure.

26 Sec. 57. Section 252.27, unnumbered paragraph 2, Code 2014,
27 is amended to read as follows:

28 The board shall record its proceedings relating to the
29 provision of assistance to specific persons under this chapter.
30 A person who is aggrieved by a decision of the board may appeal
31 the decision as if it were a contested case before an agency
32 and as if the person had exhausted administrative remedies in
33 accordance with the procedures and standards in section 17A.19,
34 subsections 2 ~~to~~ through 12, except section 17A.19, subsection
35 10, paragraphs "b" and "g", and section 17A.20.

1 Sec. 58. Section 252.37, Code 2014, is amended to read as
2 follows:

3 **252.37 Appeal to supervisors.**

4 If a poor person, on application to the general assistance
5 director, is refused the required assistance, the applicant may
6 appeal to the board of supervisors, who, upon examination into
7 the matter, may order the director to provide assistance, or ~~it~~
8 who may direct specific assistance.

9 Sec. 59. Section 256.7, subsection 26, paragraph a,
10 subparagraph (3), Code 2014, is amended to read as follows:

11 (3) The rules establishing a core curriculum shall address
12 the core content standards in subsection 28 and the skills and
13 knowledge students need to be successful in the twenty-first
14 century. The core curriculum shall include social studies and
15 twenty-first century learning skills which include but are
16 not limited to civic literacy, health literacy, technology
17 literacy, financial literacy, and employability skills; and
18 shall address the curricular needs of students in kindergarten
19 through grade twelve in those areas. The ~~department~~ state
20 board shall further define the twenty-first century learning
21 skills components by rule.

22 Sec. 60. Section 256.42, subsection 4, Code 2014, is amended
23 to read as follows:

24 4. Each participating school district and accredited
25 nonpublic school shall submit its online curricula to the
26 department for review. Each participating school district and
27 accredited nonpublic school shall include in its comprehensive
28 school improvement plan submitted pursuant to section 256.7,
29 subsection 21, a list and description of the online coursework
30 offered by the district or school.

31 Sec. 61. Section 258.6, Code 2014, is amended to read as
32 follows:

33 **258.6 Definitions.**

34 As used in this chapter:

35 1. "Approved practitioner preparation school, department,

1 or class” means a school, department, or class approved by the
2 board as entitled under this chapter to federal moneys for the
3 training of teachers of vocational subjects.

4 2. “Approved school, department, or class” means a school,
5 department, or class approved by the board as entitled under
6 this chapter to federal and state moneys for the salaries and
7 authorized travel of teachers of vocational subjects. “Approved
8 practitioner preparation school, department, or class” means a
9 school, department, or class approved by the board as entitled
10 under this chapter to federal moneys for the training of
11 teachers of vocational subjects.

12 Sec. 62. Section 258.12, Code 2014, is amended to read as
13 follows:

14 **258.12 Custodian of funds.**

15 The treasurer of state shall be custodian of the funds
16 paid to the state from the appropriations made under said the
17 federal Carl D. Perkins Vocational and Technical Education Act
18 of Congress of 1998, and shall disburse the same on vouchers
19 audited as provided by law.

20 Sec. 63. Section 278.3, Code 2014, is amended to read as
21 follows:

22 **278.3 Power given electors not to limit directors’ power.**

23 The power vested in the electors by section 278.1 shall not
24 affect or limit the power granted to the board of directors
25 of a school district in section 297.7, subsection 2, and the
26 authority granted in said section 297.7, subsection 2, shall be
27 construed as independent of the power vested in the electors
28 by section 278.1.

29 Sec. 64. Section 283A.1, unnumbered paragraph 1, Code 2014,
30 is amended to read as follows:

31 For the purpose of this chapter, unless the context
32 otherwise requires:

33 Sec. 65. Section 297.30, Code 2014, is amended to read as
34 follows:

35 **297.30 Public sale.**

1 If the owner of the tract from which said site was taken
2 fails to pay the amount of such appraisement to ~~such executive~~
3 ~~council~~ the department within thirty days after the filing of
4 the same with the sheriff, the ~~executive council~~ department may
5 sell said site or building to any other person at the appraised
6 value, or may sell the same at public sale to the highest
7 bidder and the proceeds of such sale are to be added to the
8 permanent school fund of the state.

9 Sec. 66. Section 299.6A, subsection 1, Code 2014, is amended
10 to read as follows:

11 1. In lieu of a criminal proceeding under section 299.6,
12 a county attorney may bring a civil action against a parent,
13 guardian, or legal or actual custodian of a child who is of
14 compulsory attendance age, has not completed educational
15 requirements, and is truant, if the parent, guardian, or legal
16 or actual custodian has failed to cause the child to attend
17 a public school or an accredited nonpublic school, or ~~placed~~
18 to place the child under competent private instruction or
19 independent private instruction in the manner provided in this
20 chapter. If the court finds that the parent, guardian, or
21 legal or actual custodian has failed to cause the child to
22 attend as required in this section, the court shall assess a
23 civil penalty of not less than one hundred but not more than
24 one thousand dollars for each violation established.

25 Sec. 67. Section 306D.1, subsection 2, Code 2014, is amended
26 to read as follows:

27 2. In addition to other goals for the program, it is the
28 intention of the general assembly that the scenic highways
29 program be coordinated with the state's open space program
30 under chapter 465A.

31 Sec. 68. Section 307.23, Code 2014, is amended to read as
32 follows:

33 **307.23 General counsel.**

34 1. The general counsel shall be a special assistant attorney
35 general appointed by the attorney general who shall act as the

1 attorney for the department ~~and the~~. The general counsel shall
2 have the following duties and responsibilities:

3 a. Act as legal advisor to the commission and the director,
4 ~~and provide.~~

5 b. Provide all legal services for the department.

6 2. The attorney general shall appoint additional assistant
7 attorneys general as the director deems necessary to carry out
8 the duties assigned to the office of the general counsel. The
9 salary of the general counsel shall be fixed by the director,
10 subject to the approval of the attorney general. The director
11 shall provide and furnish a suitable office for the general
12 counsel upon request of the attorney general.

13 Sec. 69. Section 309.41, Code 2014, is amended to read as
14 follows:

15 **309.41 Optional advertisement and letting.**

16 1. Contracts not embraced within the provisions of section
17 309.40 or 309.40A shall be either advertised and let at
18 a public letting~~7,~~ or, where the cost does not exceed the
19 engineer's estimate, let through informal bid procedure by
20 contacting at least three qualified bidders prior to letting
21 the contract. The informal bids received together with a
22 statement setting forth the reasons for use of the informal
23 procedure and bid acceptance shall be entered in the minutes
24 of the board of supervisors meeting at which such action was
25 taken.

26 2. Nothing contained in this section shall be deemed to
27 prohibit the board of supervisors from purchasing material
28 and using county equipment and regularly employed county road
29 personnel on a project within their capability as determined
30 by the county engineer.

31 Sec. 70. Section 309.43, Code 2014, is amended to read as
32 follows:

33 **309.43 Record of bids.**

34 All bids received shall be publicly opened, at the time and
35 place specified in the advertisement, and shall be recorded

1 in detail, in the road book, by the county auditor, ~~and the~~.
2 The county engineer shall in all instances of day labor, and
3 private or public contracts, file a detailed cost accounting
4 sheet with the county auditor, ~~said~~. The road book and cost
5 sheets shall at all times be open to public inspection.

6 Sec. 71. Section 313.2, Code 2014, is amended to read as
7 follows:

8 **313.2 "Road systems" defined — roadside parks.**

9 1. The roads and streets of the state are, for the purpose
10 of this chapter, those roads and streets established under
11 chapter 306.

12 2. a. Whenever the board of supervisors of a county and
13 the department mutually determine that a portion of a highway
14 under the jurisdiction of either party should be transferred to
15 the jurisdiction of the other party, the board and department
16 may enter into an agreement to effect such transfer. Such
17 agreement may provide that each party may undertake or share
18 responsibility for improving said road with the costs of such
19 improvement to be borne entirely by either the county or the
20 department or equitably divided between the two jurisdictions.
21 All such improvements shall be completed and all actual costs
22 thereof paid or reimbursed prior to the time transfer of the
23 road is made. In carrying out such agreement, the board of
24 supervisors may expend secondary road funds of the county and
25 the department may expend primary road funds.

26 b. However, prior to entering into the agreement, a notice
27 of intent to execute such agreement shall be published in a
28 newspaper of general circulation within the county and the cost
29 of such notice shall be jointly borne by the department and
30 the board of supervisors. If one hundred or more residents of
31 the county request by petition or in writing that a hearing
32 be held in regard to such agreement within ten days after
33 the publication of the notice, the board of supervisors and
34 the department shall hold such a hearing not more than seven
35 days after receiving the petition or written instrument, and

1 based upon evidence presented at such hearing shall reexamine
2 the merits of executing such agreement and make a decision in
3 regard to it.

4 3. The department may, for the purpose of affording access
5 to cities or state parks, or for the purpose of shortening
6 the direct line of travel on important routes, or to effect
7 connections with interstate roads at the state line, add such
8 road or roads to the primary system.

9 4. The department, either alone or in cooperation with any
10 county, shall have the authority to utilize any land acquired
11 incidental to the acquisition of land for highway right-of-way
12 and to also accept by gift, lands not exceeding two acres in
13 area for roadside parks and parking areas. The department may
14 furnish necessary maintenance. The department shall also have
15 authority to accept by gift, equipment or other installations
16 incidental to the use of said parks and parking areas. ~~Said~~
17 The parks and parking areas shall be a part of the primary
18 road system and the department may at its discretion sell or
19 otherwise dispose of ~~said~~ the lands.

20 5. Reasonable maintenance and surveillance of rest area
21 sites and buildings located ~~thereon~~ on the sites shall be
22 provided by employees of the department within the limits of
23 appropriations provided for such purpose.

24 Sec. 72. Section 313.28, subsection 1, Code 2014, is amended
25 to read as follows:

26 1. When the department, for the purpose of establishing,
27 constructing, or maintaining any primary road, determines
28 that any secondary road or portion thereof is necessary for a
29 detour or haul road, the department, after consultation with
30 the county board of supervisors having jurisdiction of the
31 route, shall by order temporarily designate the secondary road
32 or portion thereof as a temporary primary road detour or as
33 a temporary primary road haul road, and the department shall
34 maintain the same as a primary road until it shall revoke the
35 temporary designation order. Prior to use of a secondary road

1 as a primary road haul road or detour, the department shall
2 designate a representative to inspect the secondary road with
3 the county engineer to determine and note the condition of the
4 road.

5 Sec. 73. Section 313.65, Code 2014, is amended to read as
6 follows:

7 **313.65 Approval of taxing bodies.**

8 Before any bridge owned by any individual or private
9 corporation shall be accepted by the department under the
10 provisions of sections 313.59 to 313.64, the ~~said~~ proposal and
11 acceptance shall first be approved by the following tax levying
12 and tax certifying bodies located in the ~~said~~ tax district:

13 1. The board of supervisors,~~the.~~

14 2. The city councils and~~the.~~

15 3. The school board or boards.

16 Sec. 74. Section 313.66, subsection 4, Code 2014, is amended
17 to read as follows:

18 4. Before the purchase of any such bridge shall be completed
19 by the department under the provisions of this section, the
20 purchase thereof shall first be approved by the following
21 tax levying and tax certifying bodies located in ~~said~~ the
22 district:

23 a. The board of supervisors,~~the.~~

24 b. The city councils,~~and the.~~

25 c. The school board or boards.

26 Sec. 75. Section 317.25, subsection 1, Code 2014, is amended
27 to read as follows:

28 1. a. A person shall not import, sell, offer for sale,
29 or distribute ~~teasel~~ in this state in any form, including the
30 seeds, any of the following plants:

31 (1) Teasel (Dipsacus) biennial,~~the multiflora.~~

32 (2) Multiflora rose (Rosa multiflora),~~purple.~~

33 (3) Purple loosestrife (Lythrum salicaria),~~purple.~~

34 (4) Purple loosestrife (Lythrum virgatum),~~garlic.~~

35 (5) Garlic mustard (Alliaria petiolata),~~oriental.~~

1 (6) Oriental bitterweet (Celastrus orbiculatus)~~7.~~

2 (7) Japanese knotweed (Fallopia japonica)~~7-or.~~

3 (8) Japanese hop (Humulus japonicus)~~7-including the seeds~~
4 ~~of those plants, in any form in this state.~~

5 b. However, ~~this subsection~~ paragraph "a" does not prohibit
6 the sale, offer for sale, or distribution of the multiflora
7 rose (Rosa multiflora) used for understock for either
8 cultivated roses or ornamental shrubs in gardens.

9 Sec. 76. Section 321.24, subsections 7 and 10, Code 2014,
10 are amended to read as follows:

11 7. The certificate shall contain the name of the county
12 treasurer or of the department and, if the certificate of
13 title is printed, the signature of the county treasurer, the
14 deputy county treasurer, or the department director or deputy
15 designee. The certificate of title shall contain upon the
16 reverse side a form for assignment of title or interest and
17 warranty by the owner, for reassignments by a dealer licensed
18 in this state or in another state if the state in which the
19 dealer is licensed permits Iowa licensed dealers to similarly
20 reassign certificates of title. However, titles for mobile
21 homes or manufactured homes shall not be reassigned by licensed
22 dealers. Notwithstanding section 321.1, subsection 17, as
23 used in this ~~paragraph~~ subsection, "~~dealer~~" means every person
24 engaged in the business of buying, selling, or exchanging
25 vehicles of a type required to be registered under this
26 chapter.

27 10. A vehicle shall be registered for the registration
28 year. A vehicle registered for the first time in this state
29 shall be registered for the remaining unexpired months of the
30 registration year and pay an annual registration fee prorated
31 for the remaining unexpired months of the registration year
32 plus a fee for new registration if applicable pursuant to
33 section 321.105A. Except for a vehicle registered under
34 chapter 326, a vehicle registered for the first time during
35 the eleventh month of the owner's registration year may

1 be registered for the remaining unexpired months of the
2 registration year as provided in this ~~paragraph~~ subsection or
3 for the remaining unexpired months of the registration year and
4 for the next registration year, upon payment of the applicable
5 registration fees.

6 Sec. 77. Section 321.178, subsection 2, paragraph a,
7 subparagraph (2), subparagraph division (b), Code 2014, is
8 amended to read as follows:

9 ~~(b) For the period beginning July 1, 2010, through June~~
10 ~~30, 2011, peace officers shall issue only warning citations~~
11 ~~for violations of subparagraph division (a).~~ The department,
12 in cooperation with the department of public safety, shall
13 establish educational programs to foster compliance with the
14 requirements of subparagraph division (a).

15 Sec. 78. Section 321.180A, subsection 1, Code 2014, is
16 amended to read as follows:

17 1. Notwithstanding other provisions of this chapter, a
18 person with a physical disability, who is not suffering from
19 a convulsive disorder and who can provide a favorable medical
20 report, whose license renewal has been denied under section
21 321.177, subsection 6 or 7, or whose driver's license has been
22 suspended under section 321.210, subsection 1, paragraph "a",
23 subparagraph (3), upon meeting the requirements of section
24 321.186, other than a driving demonstration or elimination
25 of the person's limitations which caused the denial under
26 section 321.177, subsection 6 or 7, or suspension under section
27 321.210, subsection 1, paragraph "a", subparagraph (3), and
28 upon paying the fee required in section 321.191, shall be
29 issued a special instruction permit by the department. Upon
30 issuance of the permit the denial or suspension shall be stayed
31 and the stay shall remain in effect as long as the permit is
32 valid.

33 Sec. 79. Section 321.180B, subsection 6, paragraph b, Code
34 2014, is amended to read as follows:

35 ~~b. For the period beginning July 1, 2010, through June 30,~~

1 ~~2011, peace officers shall issue only warning citations for~~
2 ~~violations of paragraph "a".~~ The department, in cooperation
3 with the department of public safety, shall establish
4 educational programs to foster compliance with the requirements
5 of paragraph "a".

6 Sec. 80. Section 321.194, subsection 1, paragraph d,
7 subparagraph (2), Code 2014, is amended to read as follows:

8 (2) ~~For the period beginning July 1, 2010, through June 30,~~
9 ~~2011, peace officers shall issue only warning citations for~~
10 ~~violations of subparagraph (1).~~ The department, in cooperation
11 with the department of public safety, shall establish
12 educational programs to foster compliance with the requirements
13 of subparagraph (1).

14 Sec. 81. Section 321.498, subsection 1, Code 2014, is
15 amended to read as follows:

16 1. The acceptance by any nonresident of this state of the
17 privileges extended by the laws of this state to nonresident
18 operators or owners of operating a motor vehicle, or having the
19 same operated, within this state shall be deemed to be all of
20 the following:

21 a. An agreement by the nonresident that the nonresident
22 shall be subject to the jurisdiction of the district court
23 of this state over all civil actions and proceedings against
24 the nonresident for damages to person or property growing or
25 arising out of such use and operation, ~~and.~~

26 b. An appointment by such nonresident of the director of
27 this state as the nonresident's lawful attorney upon whom may
28 be served all original notices of suit pertaining to such
29 actions and proceedings, ~~and.~~

30 c. An agreement by such nonresident that any original notice
31 of suit so served shall be of the same legal force and validity
32 as if personally served on the nonresident in this state.

33 Sec. 82. Section 321.555, unnumbered paragraph 1, Code
34 2014, is amended to read as follows:

35 As used in this ~~division~~ section and sections 321.556

1 through 321.562, "*habitual offender*" means any person who has
2 accumulated convictions for separate and distinct offenses
3 described in subsection 1, 2, or 3, committed after July 1,
4 1974, for which final convictions have been rendered, as
5 follows:

6 Sec. 83. Section 321.562, Code 2014, is amended to read as
7 follows:

8 **321.562 Rule of construction.**

9 Nothing in sections 321.555 through 321.561 or this
10 ~~division~~ section shall be construed as amending, modifying, or
11 repealing any existing law of this state or any ordinance of
12 any political subdivision relating to the operation of motor
13 vehicles, the licensing of persons to operate motor vehicles,
14 or providing penalties for the violation thereof.

15 Sec. 84. Section 321A.8, Code 2014, is amended to read as
16 follows:

17 **321A.8 Application to unlicensed drivers and unregistered**
18 **motor vehicles.**

19 In case the operator or the owner of a motor vehicle
20 involved in an accident within this state has no license or
21 registration, the operator or owner shall not be allowed
22 a license or registration until the operator or owner has
23 complied with the requirements of sections 321A.4 ~~to~~ through
24 321A.7, this section, and sections 321A.9 through 321A.11 to
25 the same extent that would be necessary if, at the time of
26 the accident, the operator or owner had held a license and
27 registration.

28 Sec. 85. Section 321A.9, subsection 1, Code 2014, is amended
29 to read as follows:

30 1. The security required under sections 321A.4 ~~to~~ through
31 321A.8, this section, and sections 321A.10 and 321A.11 shall be
32 in such form and in such amount as the department may require
33 but in no case in excess of the limits specified in section
34 321A.5 in reference to the acceptable limits of a policy or
35 bond. The person depositing security shall specify in writing

1 the person or persons on whose behalf the deposit is made
2 and, at any time while such deposit is in the custody of the
3 department or state treasurer, the person depositing it may,
4 in writing, amend the specification of the person or persons
5 on whose behalf the deposit is made to include an additional
6 person or persons; provided, however, that a single deposit of
7 security shall be applicable only on behalf of persons required
8 to furnish security because of the same accident.

9 Sec. 86. Section 321A.10, Code 2014, is amended to read as
10 follows:

11 **321A.10 Custody, disposition, and return of security.**

12 Security deposited in compliance with the requirements of
13 sections 321A.4 ~~to~~ through 321A.9, this section, and section
14 321A.11 shall be placed by the department in the custody
15 of the state treasurer and shall be applicable only to the
16 payment of a judgment or judgments rendered against the person
17 or persons on whose behalf the deposit was made, for damages
18 arising out of the accident in question in an action at law,
19 begun not later than one year after the date of such accident,
20 or within one year after the date of deposit of any security
21 under subsection 3 of section 321A.7, and such deposit or any
22 balance thereof shall be returned to the depositor or the
23 depositor's personal representative when evidence satisfactory
24 to the department has been filed with the department that there
25 has been a release from liability, or a final adjudication of
26 nonliability, or a warrant for confession of judgment, or a
27 duly acknowledged agreement, in accordance with subsection 4 of
28 section 321A.6, or whenever, after the expiration of one year
29 from the date of the accident, or within one year after the
30 date of deposit of any security under subsection 3 of section
31 321A.7, the department shall be given reasonable evidence that
32 there is no such action pending and no judgment rendered in
33 such action left unpaid.

34 Sec. 87. Section 321A.13, subsection 3, Code 2014, is
35 amended to read as follows:

1 3. Any person whose license, registration, or nonresident's
2 operating privilege has been suspended or is about to be
3 suspended or shall become subject to suspension under the
4 provisions of sections 321A.12 ~~to~~, this section, and sections
5 321A.14 through 321A.29 may be relieved from the effect of such
6 judgment as hereinbefore prescribed in said sections by filing
7 with the department an affidavit stating that at the time of
8 the accident upon which such judgment has been rendered the
9 affiant was insured, that the insurer is liable to pay such
10 judgment, and the reason, if known, why such insurance company
11 has not paid such judgment. Such a person shall also file
12 the original policy of insurance or a certified copy thereof,
13 if available, and such other documents as the department may
14 require to show that the loss, injury, or damage for which such
15 judgment was rendered, was covered by such policy of insurance.
16 If the department is satisfied from such papers that such
17 insurer was authorized to issue such policy of insurance at the
18 time and place of issuing such policy and that such insurer is
19 liable to pay such judgment, at least to the extent and for
20 the amounts required in this chapter, the department shall not
21 suspend such license or registration or nonresident's operating
22 privilege, or if already suspended shall reinstate them.

23 Sec. 88. Section 321J.17, subsection 3, Code 2014, is
24 amended to read as follows:

25 3. The department shall also require certification of
26 installation of an ignition interlock device of a type approved
27 by the commissioner of public safety on all motor vehicles
28 owned or operated by any person seeking reinstatement following
29 a second or subsequent revocation under section 321J.4,
30 321J.9, or 321J.12. The requirement for the installation of
31 an approved ignition interlock device shall be for one year
32 from the date of reinstatement unless a longer time period
33 is required by statute. The one-year period a person is
34 required to maintain an ignition interlock device under this
35 subsection shall be reduced by any period of time the person

1 held a valid temporary restricted license during the period
2 of the revocation for the occurrence from which the arrest
3 arose. The person shall not operate any motor vehicle which
4 is not equipped with an approved ignition interlock device
5 during the period in which an ignition interlock device must be
6 maintained, and the department shall not grant reinstatement
7 unless the person certifies installation of an ignition
8 interlock device as required in this subsection.

9 Sec. 89. Section 331.301, subsection 6, paragraph b, Code
10 2014, is amended to read as follows:

11 b. A county shall not impose any fee or charge on any
12 individual or business licensed by the plumbing and mechanical
13 systems board for the right to perform plumbing, mechanical,
14 HVAC, refrigeration, sheet metal, or hydronic systems work
15 within the scope of the license. This paragraph does not
16 prohibit a county from charging fees for the issuance of
17 permits for, and inspections of, work performed in its
18 jurisdiction.

19 Sec. 90. Section 364.3, subsection 3, paragraph b, Code
20 2014, is amended to read as follows:

21 b. A city shall not impose any fee or charge on any
22 individual or business licensed by the plumbing and mechanical
23 systems board for the right to perform plumbing, mechanical,
24 HVAC, refrigeration, sheet metal, or hydronic systems work
25 within the scope of the license. This paragraph does not
26 prohibit a city from charging fees for the issuance of permits
27 for, and inspections of, work performed in its jurisdiction.

28 Sec. 91. Section 384.3A, subsection 3, paragraph j, Code
29 2014, is amended to read as follows:

30 j. For franchise fees assessed and collected by a city in
31 excess of five percent of gross revenues generated from sales
32 of the franchisee within the city pursuant to section 364.2,
33 subsection 4, paragraph "f", subparagraph (1), subparagraph
34 division (b), during fiscal years beginning on or after July
35 1, 2013, but before July 1, 2030, the adjustment, renewal,

1 or extension of any part or all of the legal indebtedness of
2 a city, whether evidenced by bonds, warrants, court-approved
3 settlements, court-approved compromises, or judgments, or the
4 funding or refunding of the same, if such legal indebtedness
5 relates to restitution, a refund, or a return ordered by a
6 court of competent jurisdiction for franchise fees assessed and
7 collected by the city before June 30 20, 2013. This paragraph
8 "j" is repealed July 1, 2030.

9 Sec. 92. Section 422.32, subsection 1, Code 2014, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *0g. "Income from sources within this state"*
12 means income from real, tangible, or intangible property
13 located or having a situs in this state.

14 Sec. 93. Section 422.33, subsection 1, unnumbered paragraph
15 2, Code 2014, is amended by striking the unnumbered paragraph.

16 Sec. 94. Section 423A.6, subsection 1, Code 2014, is amended
17 to read as follows:

18 1. The director of revenue shall administer the state and
19 local hotel and motel tax as nearly as possible in conjunction
20 with the administration of the state sales tax law, except
21 that portion of the law which implements the streamlined sales
22 and use tax agreement. The director shall provide appropriate
23 forms, or provide on the regular state tax forms, for reporting
24 state and local hotel and motel tax liability. All moneys
25 received or refunded one hundred eighty days after the date
26 on which a city or county terminates its local hotel and
27 motel tax and all moneys received from the state hotel and
28 motel tax shall be deposited in or withdrawn from the general
29 fund of the state. Beginning the first day of the calendar
30 quarter beginning on the reinvestment district's commencement
31 date, the director of revenue shall, subject to remittance
32 limitations established by the economic development authority
33 board pursuant to section 15J.4, subsection 3, transfer from
34 the general fund of the state to a district account created
35 in the state reinvestment district fund for each reinvestment

1 district established under chapter 15J, the amount of the new
2 state hotel and motel tax revenue, determined in section 15J.5,
3 subsection 2, paragraph "b", in the district. Such transfers
4 shall cease pursuant to section 15J.8.

5 Sec. 95. Section 433.2, Code 2014, is amended to read as
6 follows:

7 **433.2 Additional statement.**

8 Upon the receipt of ~~said~~ the statements required in section
9 433.1 from the several companies, the director of revenue
10 shall examine ~~said~~ the statements ~~and if.~~ If the director
11 ~~shall deem~~ deems the ~~same~~ statements insufficient and that
12 further information is requisite, the director shall require
13 the officer making ~~same~~ the statements to make such other or
14 further statement as the director may desire.

15 Sec. 96. Section 433.4, subsection 1, Code 2014, is amended
16 to read as follows:

17 1. The director of revenue shall on or before October 31
18 each year, ~~proceed to~~ find the actual value of the property
19 of ~~these~~ telegraph and telephone companies in this state that
20 is used by the companies in the transaction of telegraph and
21 telephone business, taking into consideration the information
22 obtained from the statements required, and any further
23 information the director can obtain, using the same as a means
24 for determining the actual value of the property of ~~these~~ the
25 companies within this state. The director shall also take
26 into consideration the valuation of all property of ~~these~~ the
27 companies, including franchises and the use of the property
28 in connection with lines outside the state, and making these
29 deductions as may be necessary on account of extra value of
30 property outside the state as compared with the value of
31 property in the state, in order that the actual value of the
32 property of the company within this state may be ascertained.
33 The assessment shall include all property of every kind
34 and character whatsoever, real, personal, or mixed, used by
35 the companies in the transaction of telegraph and telephone

1 business. The property so included in the assessment shall not
2 be taxed in any other manner than as provided in this chapter.

3 Sec. 97. Section 437A.3, subsection 18, paragraph a,
4 subparagraph (2), Code 2014, is amended to read as follows:

5 (2) An electric power generating plant where the
6 acquisition cost of all interests acquired exceeds ten million
7 dollars. For purposes of this ~~paragraph~~ subparagraph, "*electric*
8 *power generating plant*" means each nameplate rated electric
9 power generating plant owned solely or jointly by any person
10 or electric power facility financed under the provisions of
11 chapter 28F or 476A in which electrical energy is produced from
12 other forms of energy, including all equipment used in the
13 production of such energy through its step-up transformer.

14 Sec. 98. Section 441.4, Code 2014, is amended to read as
15 follows:

16 **441.4 Removal of member.**

17 A member of this examining board may be removed by the
18 voting unit of the conference board by which the member was
19 appointed but only after specific charges have been filed and a
20 public hearing held, if a public hearing is requested by the
21 discharged member of the board. Subsequent appointments and an
22 appointment to fill a vacancy shall be made in the same way as
23 the original appointment.

24 Sec. 99. Section 452A.6A, subsection 2, Code 2014, is
25 amended to read as follows:

26 2. A refiner, supplier, terminal operator, or terminal
27 owner who in the ordinary course of business sells or
28 transports a conventional blendstock for oxygenate blending,
29 gasoline unblended or blended with a biofuel, or diesel fuel
30 unblended or blended with a biofuel shall not refuse to sell
31 or transport to a distributor or dealer any conventional
32 blendstock for oxygenate blending, unblended gasoline, or
33 unblended diesel fuel that is at the terminal, based on the
34 distributor's or dealer's intent to use the conventional
35 blendstock for oxygenate blending, or to blend the gasoline or

1 diesel fuel with a biofuel.

2 Sec. 100. Section 455A.20, subsection 2, Code 2014, is
3 amended to read as follows:

4 2. The duties of the county resource enhancement committee
5 are to coordinate the resource enhancement program, plans, and
6 proposed projects developed by cities, county conservation
7 board, and soil and water conservation district commissioners
8 for funding under this ~~division~~ subchapter. The county
9 committee shall review and comment upon all projects before
10 they are submitted for funding under section 455A.19. Each
11 county committee shall propose a five-year program plan which
12 includes a one-year proposed expenditure plan and submit it to
13 the department.

14 Sec. 101. Section 461.1, Code 2014, is amended to read as
15 follows:

16 **461.1 Title.**

17 This ~~Act~~ chapter shall be known and may be cited as the
18 "*Natural Resources and Outdoor Recreation Act*".

19 Sec. 102. Section 462A.49, Code 2014, is amended to read as
20 follows:

21 **462A.49 Prohibited use of "applied for" card.**

22 ~~No~~ A manufacturer or dealer shall not permit the use of ~~such~~
23 a "registration applied for" card unless an application for a
24 registration certificate has been made.

25 Sec. 103. Section 462A.77, subsections 4 and 9, Code 2014,
26 are amended to read as follows:

27 4. Every owner of a vessel subject to titling under this
28 chapter shall apply to the county recorder for issuance of
29 a certificate of title for the vessel within thirty days
30 after acquisition. The application shall be on forms the
31 department prescribes, and accompanied by the required
32 fee. The application shall be signed and sworn to before a
33 notarial officer as provided in chapter 9B ~~or other person~~
34 ~~who administers oaths~~, or shall include a certification
35 signed in writing containing substantially the representation

1 that statements made are true and correct to the best of the
2 applicant's knowledge, information, and belief, under penalty
3 of perjury. The application shall contain the date of sale
4 and gross price of the vessel or the fair market value if no
5 sale immediately preceded the transfer, and any additional
6 information the department requires. If the application
7 is made for a vessel last previously registered or titled
8 in another state or foreign country, it shall contain this
9 information and any other information the department requires.

10 9. A person who owns a vessel which is not required to have
11 a certificate of title may apply for and receive a certificate
12 of title for the vessel and the vessel shall subsequently be
13 subject to the requirements of this ~~division~~ subchapter as
14 though the vessel was required to be titled.

15 Sec. 104. Section 466.9, subsection 1, Code 2014, is amended
16 to read as follows:

17 1. An on-site wastewater systems assistance fund is
18 established as a separate fund in the state treasury under the
19 control of the department of natural resources. Moneys in the
20 fund are appropriated to the department of natural resources
21 for the exclusive purpose of supporting and administering the
22 on-site wastewater systems assistance program as established
23 in section 466.8.

24 Sec. 105. Section 466.9, subsection 3, paragraph a,
25 subparagraph (1), Code 2014, is amended to read as follows:

26 (1) The financing account which shall be used for the
27 exclusive purpose of providing financing to homeowners ~~with~~
28 for improving on-site wastewater systems under the on-site
29 wastewater systems assistance program.

30 Sec. 106. Section 468.69, Code 2014, is amended to read as
31 follows:

32 **468.69 Bonds received for assessments.**

33 Bonds issued for the cost of construction, maintenance, or
34 repair of any drainage or levee district, or for the refunding
35 of any obligation of such district, may be acquired by any

1 taxpayer or group of taxpayers of such district, and applied
2 at their face value in the order of their priority, if any
3 priority exists between bonds of the same issue, upon the
4 payment of the delinquent ~~and/or~~ or future assessments levied
5 against the property of such taxpayers to pay off the bonds so
6 acquired, ~~the~~. The interest coupons attached to such bonds,
7 may likewise be applied at their face value to the payment of
8 assessments for interest accounts, delinquent or future.

9 Sec. 107. Section 490.728, subsection 1, Code 2014, is
10 amended to read as follows:

11 1. Unless otherwise provided in the articles of
12 incorporation, directors are elected by a plurality of the
13 votes cast by the shares entitled to ~~vote~~ be voted in the
14 election at a meeting at which a quorum is present.

15 Sec. 108. Section 490.728, subsection 4, unnumbered
16 paragraph 1, Code 2014, is amended to read as follows:

17 Shares otherwise entitled to ~~vote~~ be voted cumulatively
18 shall not be voted cumulatively at a particular meeting unless
19 any of the following applies:

20 Sec. 109. Section 490.860, subsection 6, paragraph b, Code
21 2014, is amended to read as follows:

22 b. If the transaction is not brought before the board of
23 directors of the corporation, or its committee, for action
24 under section 490.862, ~~at~~ the time at which the corporation,
25 or an entity controlled by the corporation, becomes legally
26 obligated to consummate the transaction.

27 Sec. 110. Section 499.66, subsection 2, paragraph c, Code
28 2014, is amended to read as follows:

29 c. The fair value of a dissenting member's interest in the
30 old association shall be determined as of the day preceding
31 the merger or consolidation by taking the lesser of either
32 the issue price of the dissenting member's membership, common
33 stock, deferred patronage dividends, and preferred stock, or
34 the amount determined by subtracting the old association's
35 debts from the fair market value of the old association's

1 assets, dividing the remainder by the total issue price of
2 all memberships, common stock, preferred stock, and revolving
3 funds, and then multiplying the quotient from this ~~division~~
4 equation by the total issue price of a dissenting member's
5 membership, common stock, preferred stock, and revolving fund
6 interest.

7 Sec. 111. Section 501.616, subsection 3, Code 2014, is
8 amended to read as follows:

9 3. The fair value of a dissenting member's interest in the
10 old cooperative shall be determined as of the day preceding
11 the merger or consolidation by taking the lesser of either the
12 issue price of the dissenting member's membership, deferred
13 patronage, and any other interests in the cooperative, or
14 the amount determined by subtracting the old cooperative's
15 debts from the fair market value of the old cooperative's
16 assets, dividing the remainder by the total issue price of all
17 memberships, deferred patronage, and all other interests, and
18 then multiplying the quotient from this ~~division~~ equation by
19 the total issue price of a dissenting member's membership,
20 deferred patronage, and other interests.

21 Sec. 112. Section 501B.7, subsection 7, Code 2014, is
22 amended to read as follows:

23 7. A statement of authority filed ~~by~~ in the office of the
24 county recorder as provided in subsection 2 is effective until
25 amended or canceled, unless an earlier cancellation date is
26 specified in the statement.

27 Sec. 113. Section 502.412, subsection 3, Code 2014, is
28 amended to read as follows:

29 3. *Disciplinary penalties — registrants.* If the
30 administrator finds that the order is in the public interest
31 and subsection 4, paragraphs "a" through "f", "h", "i", "j",
32 "l", or "m", authorizes the action, an order under this chapter
33 may censure, impose a bar, or impose a civil penalty in an
34 amount not to exceed a maximum of ten thousand dollars for
35 a single violation or one million dollars for more than one

1 violation, or in an amount as agreed to by the parties, on
2 a registrant, and, if the registrant is a broker-dealer or
3 investment adviser, on a partner, officer, director, or person
4 having a similar status or performing similar functions,
5 or on a person directly or indirectly in control, of the
6 broker-dealer or investment adviser.

7 Sec. 114. Section 508C.3, subsection 1, paragraph e, Code
8 2014, is amended by striking the paragraph.

9 Sec. 115. Section 508C.3, subsection 1, paragraph f, Code
10 2014, is amended to read as follows:

11 ~~f. Coverage under this chapter shall be provided to a~~ A
12 person who is a resident of this state and, only in special
13 circumstances, to a nonresident. In order to avoid duplicate
14 coverage, if a person who would otherwise receive coverage
15 under this chapter is provided coverage under the laws of
16 any other state, that person shall not be provided coverage
17 under this chapter. In determining the application of the
18 provisions of this paragraph in situations where a person could
19 be provided coverage by the association of more than one state,
20 whether as an owner, payee, beneficiary, or assignee, this
21 chapter shall be construed in conjunction with other state laws
22 to result in coverage by the association of only one state.

23 Sec. 116. Section 508C.3, Code 2014, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 2A. Coverage under this chapter shall not
26 be provided to any of the following:

27 a. A person who is a payee, or the beneficiary of a payee
28 if the payee is deceased, of a contract owner who is a resident
29 of this state, if the payee or the beneficiary of the payee is
30 provided any coverage by the association of another state.

31 b. A person who is covered pursuant to subsection 1,
32 paragraph "c" if that person is provided any coverage by the
33 association of another state.

34 Sec. 117. Section 514I.8, subsection 2, paragraph c, Code
35 2014, is amended to read as follows:

1 *c.* Is a member of a family whose income does not exceed
2 three hundred percent of the federal poverty level, as defined
3 in 42 U.S.C. § 9902(2), including any revision required by
4 such section, and in accordance with the federal Children's
5 Health Insurance Program Reauthorization Act of 2009, Pub. L.
6 No. 111-3. The modified adjusted gross income methodology
7 prescribed in section 2101 of the federal Patient Protection
8 and Affordable Care Act, Pub. L. No. 111-148, shall be used to
9 determine family income under this paragraph.

10 Sec. 118. Section 515.35, subsection 4, paragraphs n and o,
11 Code 2014, are amended to read as follows:

12 *n. Other investments.*

13 (1) A company organized under this chapter may invest up to
14 five percent of its admitted assets in securities or property
15 of any kind, without restrictions or limitations except those
16 imposed on business corporations in general.

17 (2) A company organized under this chapter may invest
18 its assets in any additional forms not specifically included
19 in paragraphs "a" through "o" "m" and this paragraph when
20 authorized by rules adopted by the commissioner.

21 ~~*o. Rules.* The commissioner may adopt rules pursuant to~~
22 ~~chapter 17A to carry out the purposes and provisions of this~~
23 ~~section.~~

24 Sec. 119. Section 515.35, Code 2014, is amended by adding
25 the following new subsection:

26 NEW SUBSECTION. 5. *Rules.* The commissioner may adopt
27 rules pursuant to chapter 17A to carry out the purposes and
28 provisions of this section.

29 Sec. 120. Section 521B.104, subsection 2, paragraph b, Code
30 2014, is amended to read as follows:

31 *b.* Is regulated, supervised, and examined by United States
32 federal or state authorities having regulatory authority over
33 banks and trust companies.

34 Sec. 121. Section 535.2, subsection 1, unnumbered paragraph
35 1, Code 2014, is amended to read as follows:

1 Except as provided in subsection 2 hereof, the rate of
2 interest shall be five cents on the hundred by the year in the
3 following cases, unless the parties shall agree in writing
4 for the payment of interest at a rate not exceeding the rate
5 permitted by subsection 3:

6 Sec. 122. Section 543B.20, Code 2014, is amended to read as
7 follows:

8 **543B.20 Examination.**

9 Examinations for ~~registration~~ a license shall be given as
10 often as deemed necessary by the real estate commission, but
11 no less than one time per year. Each applicant for a license
12 must pass an examination authorized by the commission and
13 administered by the commission or persons designated by the
14 commission. The examination shall be of scope and wording
15 sufficient in the judgment of the commission to establish
16 the competency of the applicant to act as a real estate
17 broker or salesperson in a manner to protect the interests of
18 the public. An examination for a real estate broker shall
19 be of a more exacting nature than that for a real estate
20 salesperson and require higher standards of knowledge of real
21 estate. The identity of the persons taking the examinations
22 shall be concealed until after the examination has been
23 graded. A person who fails to pass either examination once
24 may immediately apply to take the next available examination.
25 Thereafter, the applicant may take the examination at the
26 discretion of the commission. An applicant who has failed
27 either examination may request in writing information from the
28 commission concerning the applicant's examination grade and
29 subject areas or questions which the applicant failed to answer
30 correctly, except that if the commission administers a uniform,
31 standardized examination, the commission is only required to
32 provide the examination grade and other information concerning
33 the applicant's examination results which is available to the
34 commission.

35 Sec. 123. Section 543B.46, subsections 2 and 3, Code 2014,

1 are amended to read as follows:

2 2. Each broker shall notify the real estate commission of
3 the name of each bank ~~or~~, savings association, or credit union
4 in which a trust account is maintained and also the name of the
5 account on forms provided therefor.

6 3. Each broker shall authorize the real estate commission to
7 examine each trust account and shall obtain the certification
8 of the bank ~~or~~, savings association, or credit union attesting
9 to each trust account and consenting to the examination and
10 audit of each account by a duly authorized representative
11 of the commission. The certification and consent shall
12 be furnished on forms prescribed by the commission. This
13 subsection does not apply to an individual farm account
14 maintained in the name of the owner or owners for the purpose
15 of conducting ongoing farm business whether it is conducted by
16 the farm owner or by an agent or farm manager when the account
17 is part of a farm management agreement between the owner and
18 agent or manager. This subsection also does not apply to an
19 individual property management account maintained in the name
20 of the owner or owners for the purpose of conducting ongoing
21 property management whether it is conducted by the property
22 owner or by an agent or manager when the account is part of a
23 property management agreement between the owner and agent or
24 manager.

25 Sec. 124. Section 554.3312, subsection 2, paragraph a, Code
26 2014, is amended to read as follows:

27 a. The claim becomes enforceable at the later of ~~(i)~~ the
28 time the claim is asserted, or ~~(ii)~~ the ninetieth day following
29 the date of the check, in the case of a cashier's check or
30 teller's check, or the ninetieth day following the date of the
31 acceptance, in the case of a certified check.

32 Sec. 125. Section 554.3504, subsection 1, Code 2014, is
33 amended to read as follows:

34 1. Presentment for payment or acceptance of an instrument
35 is excused if the person entitled to present the instrument

1 cannot with reasonable diligence make presentment~~7i~~; the maker
2 or acceptor has repudiated an obligation to pay the instrument
3 or is dead or in insolvency proceedings~~7i~~; by the terms of
4 the instrument presentment is not necessary to enforce the
5 obligation of endorsers or the drawer~~7i~~; the drawer or endorser
6 whose obligation is being enforced has waived presentment or
7 otherwise has no reason to expect or right to require that the
8 instrument be paid or accepted~~7i~~; or the drawer instructed the
9 drawee not to pay or accept the draft or the drawee was not
10 obligated to the drawer to pay the draft.

11 Sec. 126. Section 554.9502, subsection 3, paragraph c, Code
12 2014, is amended to read as follows:

13 c. the record satisfies the requirements for a financing
14 statement in this section, but~~+~~

15 (1) the record need not indicate that it is to be filed in
16 the real property records; and

17 (2) the record sufficiently provides the name of a debtor
18 who is an individual if it provides the individual name of the
19 debtor or the surname and first personal name of the debtor,
20 even if the debtor is an individual to whom section 554.9503,
21 subsection 1, paragraph "d" applies; and

22 Sec. 127. Section 559.2, unnumbered paragraph 1, Code 2014,
23 is amended to read as follows:

24 The term "*power to appoint*" as used in ~~section 559.1~~ this
25 chapter, shall mean and include all powers which are in
26 substance and effect powers of appointment, regardless of the
27 language used in creating them and whether they are:

28 Sec. 128. Section 572.13A, subsection 3, paragraphs a and c,
29 Code 2014, are amended to read as follows:

30 a. At the time a notice of commencement of work is posted
31 on the mechanics' notice and lien registry internet site,
32 the administrator shall assign a mechanics' notice and lien
33 registry number and send a copy of the owner notice described
34 in section 572.13. The owner notice shall contain the
35 following language:

1 Persons or companies furnishing labor or materials for the
2 improvement of real property may enforce a lien upon the
3 improved property if they are not paid for their contributions,
4 even if the parties have no direct contractual relationship
5 with the owner. The mechanics' notice and lien registry
6 internet site provides a listing of all persons or companies
7 furnishing labor or materials who have posted a lien or who
8 may post a lien upon the improved property. If the person or
9 company has posted its notice or lien to the mechanics' notice
10 and lien registry internet site, you may be required to pay the
11 person or company even if you have paid the general contractor
12 the full amount due. Therefore, check the mechanics' notice
13 and lien registry internet site for information about the
14 property including persons or companies furnishing labor or
15 materials before paying your general contractor. In addition,
16 when making payment to your general contractor, it is important
17 to obtain lien waivers from your general contractor and
18 from persons or companies registered as furnishing labor or
19 materials to your property. The information in the mechanics'
20 notice and lien registry is posted on the internet site of the
21 mechanics' notice and lien registry.

22 c. The notice described in subsection 1 shall be sent
23 to the owner's address as posted to the mechanics' notice
24 and lien registry internet site by the general contractor,
25 owner-builder, or subcontractor. If the owner's address is
26 different than the property address, a copy of the notice shall
27 also be sent to the property address, addressed to the owner
28 if a mailing address has been assigned to the property by the
29 United States postal service.

30 Sec. 129. Section 572.13B, subsection 2, Code 2014, is
31 amended to read as follows:

32 2. At the time a preliminary notice is posted to the
33 mechanics' notice and lien registry internet site, the
34 administrator shall send notification to the owner, including
35 the owner notice described in section 572.13, subsection 1,

1 and shall post the mailing of the notice on the mechanics'
2 notice and lien registry internet site as prescribed by the
3 administrator pursuant to rule. Notices under this section
4 shall not be sent to owner-builders. Upon request, the
5 administrator shall provide proof of service at no cost for the
6 notice required under this section.

7 Sec. 130. Section 572.33A, subsection 1, unnumbered
8 paragraph 1, Code 2014, is amended to read as follows:

9 An owner of a building, land, or improvement upon which
10 a mechanic's lien of a subcontractor may be posted, is not
11 required to pay the general contractor ~~for~~ compensation for
12 work done or material furnished for the building, land, or
13 improvement until the expiration of ninety days after the
14 completion of the building or improvement unless the general
15 contractor furnishes to the owner one of the following:

16 Sec. 131. Section 572.34, subsection 6, Code 2014, is
17 amended to read as follows:

18 6. The administrator shall charge and collect fees as
19 established by rule necessary for the administration and
20 maintenance of the registry and the registry's internet
21 site. The administrator shall not charge a posting fee for
22 a preliminary notice required pursuant to this chapter that
23 exceeds the cost of sending such notice by certified mail with
24 restricted delivery and return receipt. The administrator
25 shall not charge a posting fee that exceeds forty dollars for a
26 mechanic's lien ~~that exceeds forty dollars~~.

27 Sec. 132. Section 589.4, Code 2014, is amended to read as
28 follows:

29 **589.4 Acknowledgments by corporation officers.**

30 The acknowledgments of all deeds, mortgages, or other
31 instruments in writing taken or certified more than ten years
32 earlier, which instruments have been recorded in the recorder's
33 office of any county of this state, including acknowledgments
34 of instruments made by a corporation, or to which the
35 corporation was a party, or under which the corporation was

1 a beneficiary, and which have been acknowledged before or
 2 certified by a notarial officer as provided in chapter 9B
 3 who was at the time of the acknowledgment or certifying a
 4 stockholder or officer in the corporation, are legal and valid
 5 official acts of the ~~notaries-public~~ notarial officers, and
 6 entitle the instruments to be recorded, anything in the laws
 7 of the state of Iowa in regard to acknowledgments to the
 8 contrary notwithstanding. This section does not affect pending
 9 litigation.

10 Sec. 133. Section 589.5, Code 2014, is amended to read as
 11 follows:

12 **589.5 Acknowledgments by stockholders.**

13 All deeds and conveyances of lands within this state
 14 executed more than ten years earlier, but which have been
 15 acknowledged or proved according to and in compliance with
 16 the laws of this state before a notarial officer as provided
 17 in chapter 9B ~~or other official authorized by law to take~~
 18 ~~acknowledgments~~ who was, at the time of the acknowledgment,
 19 an officer or stockholder of a corporation interested in the
 20 deed or conveyance, or otherwise interested in the deeds or
 21 conveyances, are, if otherwise valid, valid in law as though
 22 acknowledged or proved before an officer not interested in
 23 the deeds or conveyances; and if recorded more than ten years
 24 earlier, in the respective counties in which the lands are, the
 25 records are valid in law as though the deeds and conveyances,
 26 so acknowledged or proved and recorded, had, prior to being
 27 recorded, been acknowledged or proved before ~~an~~ a notarial
 28 officer having no interest in the deeds or conveyances.

29 Sec. 134. Section 602.8103A, subsection 3, Code 2014, is
 30 amended to read as follows:

31 3. If a request is made pursuant to subsection 1, ~~within~~
 32 ~~seven days of the filing of the final briefs in the appeal~~, the
 33 clerk of the district court shall transmit any of the remaining
 34 record to the clerk of the supreme court within seven days of
 35 the filing of the final briefs in the appeal.

1 Sec. 135. Section 602.11105, subsection 1, unnumbered
2 paragraph 1, Code 2014, is amended to read as follows:

3 Commencing one year prior to each category of employees
4 becoming state employees as a result of ~~this Act~~ 1983 Acts, ch.
5 186, new employees shall not be hired and vacancies shall not
6 be filled, except as provided in subsection 2, with respect to
7 any of the following agencies or positions:

8 Sec. 136. Section 602.11106, Code 2014, is amended to read
9 as follows:

10 **602.11106 Employee reclassification moratorium.**

11 Commencing one year prior to county employees becoming state
12 employees as a result of ~~this Act~~ 1983 Acts, ch. 186, the
13 county employees shall not be promoted or demoted, and shall
14 not be subject to a reduction in salary or a reduction in other
15 employee benefits, except after approval by the chief judge
16 of the judicial district. An employer wishing to take any of
17 these actions shall apply to the chief judge in a writing that
18 discloses the proposed action, the reasons for the action,
19 and the statutory or other authority for the action. The
20 chief judge shall not approve any proposed action that is in
21 violation of an employee's rights or that is extraordinary
22 when compared with customary practices and procedures of the
23 employer. The chief judge shall obtain the advice of the
24 district judges of the judicial district respecting decisions
25 to be made under this section.

26 Sec. 137. Section 602.11107, subsections 1 and 5, Code 2014,
27 are amended to read as follows:

28 1. Commencing on the date when each category of employees
29 becomes state employees as a result of ~~this Act~~ 1983 Acts,
30 ch. 186, public property referred to in subsection 2 that on
31 the day prior to that date is in the custody of a person or
32 agency referred to in subsection 3 shall not become property
33 of the judicial branch but shall be devoted for the use of
34 the judicial branch in its course of business. The judicial
35 branch shall only be responsible for maintenance contracts or

1 contracts for purchase entered into by the judicial branch.
2 Upon replacement of the property by the judicial branch, the
3 property shall revert to the use of the appropriate county.
4 However, if the property is personal property of a historical
5 nature, the property shall not become property of the judicial
6 branch, and the county shall make the property available to
7 the judicial branch for the judicial branch's use within the
8 county courthouse until the court no longer wishes to use the
9 property, at which time the property shall revert to the use of
10 the appropriate county.

11 5. Personal property of a type that is subject to
12 subsections 1 through 3 shall be subject to the control of the
13 chief judge of the judicial district commencing on the date
14 when each category of employees becomes state employees as a
15 result of ~~this Act~~ 1983 Acts, ch. 186. On and after that date
16 the chief judge of the judicial district may issue necessary
17 orders to preserve the use of the property by the district
18 court. Commencing on that date, the chief judge, subject
19 to the direction of the supreme court, shall establish and
20 maintain an inventory of property used by the district court.

21 Sec. 138. Section 631.8, subsections 4, 5, and 6, Code 2014,
22 are amended to read as follows:

23 4. In small claims actions, a counterclaim, cross claim,
24 or intervention in a greater amount than that of a small claim
25 shall be in the form of a regular pleading. A copy shall be
26 filed for each existing party. New parties, when permitted by
27 order, may be brought in under rule of civil procedure 1.246
28 and shall be given notice under the rules of civil procedure
29 pertaining to commencement of actions. The court shall either
30 order such counterclaim, cross claim, or intervention to be
31 tried by regular procedure and the other claim to be heard
32 under this ~~division~~ chapter, or order the entire action to be
33 tried by regular procedure.

34 5. In regular action, when a party joins a small claim with
35 one which is not a small claim, regular procedure shall apply

1 to both unless the court transfers the small claim to the small
2 claims docket for hearing under this ~~division~~ chapter.

3 6. In regular actions, a counterclaim, cross claim, or
4 intervention in the amount of a small claim shall be pleaded,
5 tried, and determined by regular procedure, unless the court
6 transfers the small claim to the small claims docket for
7 hearing under this ~~division~~ chapter.

8 Sec. 139. Section 633.304, subsection 2, Code 2014, is
9 amended to read as follows:

10 2. On admission of a will to probate, the executor, as
11 soon as letters are issued, shall cause notice to be published
12 once each week for two consecutive weeks in a daily or weekly
13 newspaper of general circulation published in the county in
14 which the estate is pending and at any time during the pendency
15 of administration that the executor has knowledge of the name
16 and address of a person believed to own or possess a claim
17 which will not or may not be paid or otherwise satisfied during
18 administration, provide notice by ordinary mail to each such
19 claimant at the claimant's last known address, and as soon as
20 practicable give notice, except to any executor, by ordinary
21 mail to the surviving spouse, each heir of the decedent,
22 and each devisee under the will admitted to probate whose
23 identities are reasonably ascertainable, at such persons' last
24 known addresses, a that gives notice of admission of the will
25 to probate and of the appointment of the executor, ~~in which.~~
26 In the notice shall be included a notice that any action to set
27 aside the probate of the will must be brought within the later
28 to occur of four months from the date of the second publication
29 of the notice or one month from the date of mailing of this
30 notice or thereafter be forever barred, ~~and in which shall be~~
31 ~~included~~ a notice to debtors to make payment, and a notice to
32 creditors having claims against the estate to file them with
33 the clerk within four months from the second publication of the
34 notice, or thereafter be forever barred.

35 Sec. 140. Section 656.3, subsection 2, Code 2014, is amended

1 to read as follows:

2 2. The notice provided for in section 656.2 may be served on
3 a judgment creditor of a deceased ~~vendor~~ vendee or on any other
4 person who is, as a matter of record, interested in the estate
5 of a deceased ~~vendor~~ vendee in the manner provided in section
6 654.4A, subsections 4 and 5.

7 Sec. 141. Section 692A.101, subsection 1, paragraph b, Code
8 2014, is amended to read as follows:

9 **b.** Any conviction for an offense specified in the laws
10 of another jurisdiction or ~~any conviction for an offense~~
11 prosecuted in federal, military, or foreign court, that is
12 comparable to an offense listed in paragraph "a" shall be
13 considered an aggravated offense for purposes of registering
14 under this chapter.

15 Sec. 142. Section 692A.101, subsection 2, paragraph b, Code
16 2014, is amended to read as follows:

17 **b.** Any offense specified in the laws of another jurisdiction
18 or prosecuted in a federal, military, or foreign court, that
19 is comparable to an offense listed in paragraph "a" shall be
20 considered an aggravated offense against a minor if such an
21 offense was committed against a minor or otherwise involves a
22 minor.

23 Sec. 143. Section 692A.102, subsection 1, paragraph a,
24 subparagraph (18), Code 2014, is amended to read as follows:

25 (18) Any sex offense specified in the laws of another
26 jurisdiction, or any sex offense that may be prosecuted in
27 federal, military, or foreign court, that is comparable to an
28 offense listed in subparagraphs (1) through (17).

29 Sec. 144. Section 692A.102, subsection 1, paragraph b,
30 subparagraph (28), Code 2014, is amended to read as follows:

31 (28) Any sex offense specified in the laws of another
32 jurisdiction, or any sex offense that may be prosecuted in a
33 federal, military, or foreign court, that is comparable to an
34 offense listed in subparagraphs (1) through (27).

35 Sec. 145. Section 692A.102, subsection 1, paragraph c,

1 subparagraph (41), Code 2014, is amended to read as follows:

2 (41) Any sex offense specified in the laws of another
3 jurisdiction, or any sex offense that may be prosecuted in
4 federal, military, or foreign court, that is comparable to an
5 offense listed in subparagraphs (1) through (40).

6 Sec. 146. Section 702.17, Code 2014, is amended to read as
7 follows:

8 **702.17 Sex act.**

9 The term "*sex act*" or "*sexual activity*" means any
10 sexual contact between two or more persons by any of the
11 following: penetration

12 1. Penetration of the penis into the vagina or anus;
13 contact.

14 2. Contact between the mouth and genitalia or by contact
15 between the genitalia of one person and the genitalia or anus
16 of another person; ~~contact.~~

17 3. Contact between the finger or hand of one person and
18 the genitalia or anus of another person, except in the course
19 of examination or treatment by a person licensed pursuant to
20 chapter 148, 148C, 151, or 152; ~~ejaculation.~~

21 4. Ejaculation onto the person of another; ~~or by.~~

22 5. By use of artificial sexual organs or substitutes
23 therefor in contact with the genitalia or anus.

24 Sec. 147. Section 715A.1, Code 2014, is amended to read as
25 follows:

26 **715A.1 Definitions.**

27 As used in this chapter:

28 1. "Credit card" means a writing purporting to evidence
29 an undertaking to pay for property or services delivered or
30 rendered to or upon the order of a designated person or bearer
31 and includes a debit card or access device used to engage in an
32 electronic transfer of funds through a satellite terminal as
33 defined in section 527.2, subsection 20.

34 ~~1. 2. As used in this chapter the term "*writing*"~~ "*Writing*"
35 includes printing or any other method of recording information,

1 and includes money, coins, tokens, stamps, seals, credit
2 cards, badges, trademarks, and other symbols of value, right,
3 privilege, or identification.

4 ~~2. As used in this chapter the term "credit card" means~~
5 ~~a writing purporting to evidence an undertaking to pay for~~
6 ~~property or services delivered or rendered to or upon the order~~
7 ~~of a designated person or bearer and includes a debit card~~
8 ~~or access device used to engage in an electronic transfer of~~
9 ~~funds through a satellite terminal as defined in section 527.2,~~
10 ~~subsection 20.~~

11 Sec. 148. Section 715A.6, subsection 2, Code 2014, is
12 amended to read as follows:

13 2. a. An offense under this section is a class "C" felony
14 if the value of the property or services secured or sought to
15 be secured by means of the credit card is greater than ten
16 thousand dollars.

17 b. If the value of the property or services secured or
18 sought to be secured by means of the credit card is greater
19 than one thousand dollars but not more than ten thousand
20 dollars, an offense under this section is a class "D" felony,
21 ~~otherwise the.~~

22 c. If the value of the property or services secured
23 or sought to be secured by means of the credit card is one
24 thousand dollars or less, an offense under this section is an
25 aggravated misdemeanor.

26 Sec. 149. Section 717B.3, subsection 1, Code 2014, is
27 amended to read as follows:

28 1. A person who impounds or confines, in any place, an
29 animal is guilty of animal neglect, if the person does any of
30 the following: ~~fails~~

31 a. Fails to supply the animal during confinement with a
32 sufficient quantity of food or water; ~~fails.~~

33 b. Fails to provide a confined dog or cat with adequate
34 shelter; ~~or tortures.~~

35 c. Tortures, deprives of necessary sustenance, mutilates,

1 beats, or kills an animal by any means which causes unjustified
2 pain, distress, or suffering.

3 Sec. 150. Section 724.1, Code 2014, is amended to read as
4 follows:

5 **724.1 Offensive weapons.**

6 1. An offensive weapon is any device or instrumentality of
7 the following types:

8 ~~1.~~ a. A machine gun. A machine gun is a firearm which
9 shoots or is designed to shoot more than one shot, without
10 manual reloading, by a single function of the trigger.

11 ~~2.~~ b. A short-barreled rifle or short-barreled shotgun.
12 A short-barreled rifle or short-barreled shotgun is a rifle
13 with a barrel or barrels less than sixteen inches in length or
14 a shotgun with a barrel or barrels less than eighteen inches
15 in length, as measured from the face of the closed bolt or
16 standing breech to the muzzle, or any rifle or shotgun with an
17 overall length less than twenty-six inches.

18 ~~3.~~ c. Any weapon other than a shotgun or muzzle loading
19 rifle, cannon, pistol, revolver or musket, which fires or can
20 be made to fire a projectile by the explosion of a propellant
21 charge, which has a barrel or tube with the bore of more
22 than six-tenths of an inch in diameter, or the ammunition or
23 projectile therefor, but not including antique weapons kept for
24 display or lawful shooting.

25 ~~4.~~ d. A bomb, grenade, or mine, whether explosive,
26 incendiary, or poison gas; any rocket having a propellant
27 charge of more than four ounces; any missile having an
28 explosive charge of more than one-quarter ounce; or any device
29 similar to any of these.

30 ~~5.~~ e. A ballistic knife. A ballistic knife is a knife
31 with a detachable blade which is propelled by a spring-operated
32 mechanism, elastic material, or compressed gas.

33 ~~6.~~ f. Any part or combination of parts either designed
34 or intended to be used to convert any device into an
35 offensive weapon as described in ~~subsections 1 to 5 of this~~

1 ~~section~~ paragraphs "a" through "e", or to assemble into such an
2 offensive weapon, except magazines or other parts, ammunition,
3 or ammunition components used in common with lawful sporting
4 firearms or parts including but not limited to barrels suitable
5 for refitting to sporting firearms.

6 7. g. Any bullet or projectile containing any explosive
7 mixture or chemical compound capable of exploding or detonating
8 prior to or upon impact, or any shotshell or cartridge
9 containing exothermic pyrophoric misch metal as a projectile
10 which is designed to throw or project a flame or fireball to
11 simulate a flamethrower.

12 8. h. Any mechanical device specifically constructed and
13 designed so that when attached to a firearm silences, muffles,
14 or suppresses the sound when fired. However, this ~~subsection~~
15 paragraph does not apply to a mechanical device possessed and
16 used by a person solely for the purpose of shooting a deer
17 pursuant to an approved city special deer population control
18 plan if the person has a valid federal permit to possess and
19 use the mechanical device.

20 9. 2. An offensive weapon or part or combination of parts
21 therefor shall not include the following:

22 a. An antique firearm. An antique firearm is any firearm,
23 {including any firearm with a matchlock, flintlock, percussion
24 cap, or similar type of ignition system}, manufactured in
25 or before 1898 or any firearm which is a replica of such a
26 firearm if such replica is not designed or redesigned for using
27 conventional rimfire or centerfire ammunition or which uses
28 only rimfire or centerfire fixed ammunition which is no longer
29 manufactured in the United States and which is not readily
30 available in the ordinary channels of commercial trade.

31 b. A collector's item. A collector's item is any firearm
32 other than a machine gun that by reason of its date of
33 manufacture, value, design, and other characteristics is not
34 likely to be used as a weapon. The commissioner of public
35 safety shall designate by rule firearms which the commissioner

1 determines to be collector's items and shall revise or update
2 the list of firearms at least annually.

3 c. Any device which is not designed or redesigned for use
4 as a weapon; any device which is designed solely for use as
5 a signaling, pyrotechnic, line-throwing, safety, or similar
6 device; or any firearm which is unserviceable by reason of
7 being unable to discharge a shot by means of an explosive and
8 is incapable of being readily restored to a firing condition.

9 Sec. 151. Section 809A.16, subsection 4, Code 2014, is
10 amended to read as follows:

11 4. After final disposition of all claims and answers
12 timely filed in an action in rem, or after final judgment
13 and disposition of all claims timely filed in an action in
14 personam, the court shall enter an order that the state has
15 clear title to the forfeited property interest. Title to the
16 forfeited property interest and its proceeds shall be deemed
17 to have vested in the state on the commission of the conduct
18 giving rise to the forfeiture under this chapter.

19 Sec. 152. Section 904.905, subsection 1, paragraph a, Code
20 2014, is amended to read as follows:

21 a. An amount the inmate may be legally obligated to pay for
22 the support of the inmate's dependents, the amount of which
23 shall be paid to the dependents through the department of human
24 services ~~located in~~ office or unit serving the county or city
25 in which the dependents reside.

26 Sec. 153. Section 905.12, subsection 1, paragraph a, Code
27 2014, is amended to read as follows:

28 a. An amount the resident may be legally obligated to pay
29 for the support of dependents, which shall be paid to the
30 dependents directly or through the department of human services
31 ~~in~~ office or unit serving the county in which the dependents
32 reside. For the purpose of this paragraph, "*legally obligated*"
33 means under a court order.

34 Sec. 154. REPEAL. Sections 225C.7, 225C.12, 225C.18, and
35 260G.7, Code 2014, are repealed.

1 Sec. 155. 2013 Iowa Acts, chapter 24, section 13, is amended
2 to read as follows:

3 SEC. 13. NEW SECTION. **249A.49 Internet site — providers**
4 **found in violation of medical assistance program.**

5 1. The director shall maintain on the department's internet
6 site, in a manner readily accessible by the public, all of the
7 following:

8 a. A list of all providers that the department has
9 terminated, suspended, or placed on probation.

10 b. A list of all providers that have failed to return an
11 identified overpayment of medical assistance within the time
12 frame specified in section ~~249A.41~~ 249A.39.

13 c. A list of all providers found liable for a false claims
14 law violation related to the medical assistance program under
15 chapter 685.

16 2. The director shall take all appropriate measures to
17 safeguard the protected health information, social security
18 numbers, and other information of the individuals involved,
19 which may be redacted or omitted as provided in rule of civil
20 procedure 1.422. A provider shall not be included on the
21 internet site until all administrative and judicial remedies
22 relating to the violation have been exhausted.

23 Sec. 156. Section 456A.38, subsection 4, as enacted by
24 2013 Iowa Acts, chapter 64, section 1, is amended to read as
25 follows:

26 4. The department shall execute a lease with a beginning
27 farmer selected to participate in the program after such person
28 has been certified by the ~~agricultural development~~ authority
29 as a beginning farmer who meets the requirements of the
30 authority, which shall be based on section 175.12, subsection
31 3, paragraphs "a", "c", "f", and "g".

32 Sec. 157. 2013 Iowa Acts, chapter 125, section 25,
33 subsection 1, is amended to read as follows:

34 1. The sections of this Act amending ~~sections~~ section 2.48,
35 section 175.8, subsection 2, and sections 175.37, 422.11M,

1 and 422.33, are repealed. The Code editor shall revise the
2 applicable Code language to that language existing in the 2013
3 Code of Iowa.

4 Sec. 158. 2013 Iowa Acts, chapter 130, section 22, is
5 amended by striking that section and inserting in lieu thereof
6 the following:

7 SEC. 22. Section 222.61, Code 2014, is amended to read as
8 follows:

9 **222.61 Residency determined.**

10 When a county receives an application on behalf of any
11 person for admission to a resource center or a special unit
12 ~~or when a court issues an order committing any person to a~~
13 ~~resource center or a special unit,~~ the board of supervisors
14 shall refer the determination of residency to the central point
15 of coordination process to determine and certify that the
16 residence of the person is in one of the following:

17 1. In the county in which the application is received ~~or in~~
18 ~~which the court is located.~~

19 2. In some other county of the state.

20 3. In another state or in a foreign country.

21 4. Unknown.

22 Sec. 159. 2013 Iowa Acts, chapter 130, section 23, is
23 amended to read as follows:

24 SEC. 23. Section 222.64, Code 2013, is amended to read as
25 follows:

26 **222.64 Foreign state or country or unknown legal settlement.**

27 If the legal settlement of the person is determined by the
28 board of supervisors through the central point of coordination
29 process to be in a foreign state or country or is determined
30 to be unknown, the board of supervisors shall certify the
31 determination to the administrator. The certification shall
32 be accompanied by a copy of the evidence supporting the
33 determination. The care of the person shall be as arranged by
34 the board of supervisors ~~or by an order as the court may enter.~~
35 Application for admission may be made pending investigation by

1 the administrator.

2 DIVISION II

3 CORRESPONDING REFERENCE CORRECTIONS

4 Sec. 160. Section 135.180, subsection 3, Code 2014, is
5 amended to read as follows:

6 3. The program shall provide stipends to support
7 psychiatrist positions with an emphasis on securing and
8 retaining medical directors at community mental health centers,
9 providers of mental health services to county residents
10 pursuant to a waiver approved under section 225C.7, subsection
11 3, Code 2011, and hospital psychiatric units that are located
12 in mental health professional shortage areas.

13 Sec. 161. Section 161A.51, subsection 2, Code 2014, is
14 amended to read as follows:

15 2. In the application the commissioners shall state that
16 entry on the premises is mandated by the laws of this state
17 or that entry is needed to conduct soil sampling necessary
18 to classify soil in the district as specified in section
19 161A.44, subsection 1, paragraph "a", or to determine whether
20 soil erosion is occurring on the property in violation of the
21 district's regulations. The application shall describe the
22 area or premises, give the date of the last known investigation
23 or sampling, give the date and time of the proposed inspection,
24 declare the need for such inspection, recite that notice of
25 desire to make an inspection has been given to affected persons
26 and that admission was refused if that be the fact, and state
27 that the inspection has no purpose other than to carry out the
28 purpose of the statute, ordinance or regulation pursuant to
29 which the inspection is to be made.

30 Sec. 162. Section 422.15, subsection 2, Code 2014, is
31 amended to read as follows:

32 2. Every partnership, including limited partnerships, doing
33 business in this state, or deriving income from sources within
34 this state as defined in section ~~422.33~~ 422.32, subsection
35 1, paragraph "og", shall make a return, stating specifically

1 the net income and capital gains (or losses) reported on the
2 federal partnership return, the names and addresses of the
3 partners, and their respective shares in said amounts.

4 DIVISION III

5 UPDATES TO FEDERAL CITATIONS

6 Sec. 163. Section 11.2, subsection 3, paragraph d, Code
7 2014, is amended to read as follows:

8 d. The review of the most recent annual report to
9 shareholders of an open-end management investment company
10 or an unincorporated investment company or investment trust
11 registered with the federal securities and exchange commission
12 under the federal Investment Company Act of 1940, 15 U.S.C. §
13 ~~80a~~ §80a-1 et seq., pursuant to 17 C.F.R. § 270.30d-1 or the
14 review, by the person performing the audit, of the most recent
15 annual report to shareholders, call reports, or the findings
16 pursuant to a regular examination under state or federal law,
17 to the extent the findings are not confidential, of a bank,
18 savings and loan association, or credit union shall satisfy the
19 review requirements of this subsection.

20 Sec. 164. Section 11.6, subsection 1, paragraph c,
21 subparagraph (3), Code 2014, is amended to read as follows:

22 (3) The review by the auditor of the most recent annual
23 report to shareholders of an open-end management investment
24 company or an unincorporated investment company or investment
25 trust registered with the federal securities and exchange
26 commission under the federal Investment Company Act of 1940, 15
27 U.S.C. ~~§80a~~ §80a-1 et seq., pursuant to 17 C.F.R. § 270.30d-1
28 or the review, by the auditor, of the most recent annual report
29 to shareholders, call reports, or the findings pursuant to a
30 regular examination under state or federal law, to the extent
31 the findings are not confidential, of a bank, savings and
32 loan association, or credit union shall satisfy the review
33 requirements of this paragraph.

34 Sec. 165. Section 12B.10, subsection 4, paragraph a,
35 subparagraph (7), Code 2014, is amended to read as follows:

1 (7) An open-end management investment company organized in
2 trust form registered with the federal securities and exchange
3 commission under the federal Investment Company Act of 1940, 15
4 U.S.C. ~~§ 80a~~ §80a-1 et seq., and operated in accordance with 17
5 C.F.R. § 270.2a-7.

6 Sec. 166. Section 12C.16, subsection 1, paragraph b,
7 subparagraph (1), subparagraph division (f), Code 2014, is
8 amended to read as follows:

9 (f) Investments in an open-end management investment
10 company registered with the federal securities and exchange
11 commission under the federal Investment Company Act of 1940, 15
12 U.S.C. ~~§ 80a~~ §80a-1 et seq., which is operated in accordance
13 with 17 C.F.R. § 270.2a-7.

14 Sec. 167. Section 12C.16, subsection 1, paragraph b,
15 subparagraph (2), Code 2014, is amended to read as follows:

16 (2) Direct obligations of, or obligations that are insured
17 or fully guaranteed as to principal and interest by, the United
18 States of America, which may be used to secure the deposit of
19 public funds under subparagraph (1), subparagraph division (a),
20 include investments in an investment company or investment
21 trust registered under the federal Investment Company Act
22 of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1 et seq., the portfolio of
23 which is limited to the United States government obligations
24 described in subparagraph (1), subparagraph division (a),
25 and to repurchase agreements fully collateralized by the
26 United States government obligations described in subparagraph
27 (1), subparagraph division (a), if the investment company
28 or investment trust takes delivery of the collateral either
29 directly or through an authorized custodian.

30 Sec. 168. Section 29A.23, Code 2014, is amended to read as
31 follows:

32 **29A.23 Roll of retired officers and enlisted personnel.**

33 An officer or enlisted person who is a member of the Iowa
34 national guard who has completed twenty years of military
35 service under 10 U.S.C. ~~§ 1331(d)~~ §12731, as evidenced by a

1 letter of notification of retired pay at age sixty, shall upon
2 retirement from the Iowa national guard and written request
3 to the adjutant general be placed by order of the commander
4 in chief on a roll in the office of the adjutant general to
5 be known as the "roll of retired national guard military
6 personnel". A member registered on the roll is entitled to
7 wear the uniform of the rank last held on state or other
8 occasions of ceremony, when the wearing of such uniform is not
9 in conflict with federal law.

10 Sec. 169. Section 125.10, subsection 1, Code 2014, is
11 amended to read as follows:

12 1. Prepare and submit a state plan subject to approval
13 by the board and in accordance with ~~the provisions of~~ 42
14 U.S.C. ~~§ 4573~~ §300x-21 et seq. The state plan shall designate
15 the department as the sole agency for supervising the
16 administration of the plan.

17 Sec. 170. Section 125.93, Code 2014, is amended to read as
18 follows:

19 **125.93 Commitment records — confidentiality.**

20 Records of the identity, diagnosis, prognosis, or
21 treatment of a person which are maintained in connection
22 with the provision of substance abuse treatment services are
23 confidential, consistent with the requirements of section
24 125.37, and with the federal confidentiality regulations
25 authorized by the federal Drug Abuse Office and Treatment
26 Act, ~~21 U.S.C. § 1175 (1976)~~ 42 U.S.C. §290ee and the federal
27 Comprehensive Alcohol Abuse and Alcoholism Prevention,
28 Treatment and Rehabilitation Act, ~~42 U.S.C. § 4582 (1976)~~
29 §290dd-2.

30 Sec. 171. Section 198.7, subsection 1, paragraph f, Code
31 2014, is amended to read as follows:

32 *f.* If it is, or it bears or contains a new animal drug which
33 is unsafe within the meaning of the federal Food, Drug, and
34 Cosmetic Act, ~~21 U.S.C. § 512~~ §801 et seq.

35 Sec. 172. Section 225C.3, subsection 2, Code 2014, is

1 amended to read as follows:

2 2. The division is designated the state developmental
3 disabilities agency for the purpose of directing the benefits
4 of the federal Developmental Disabilities Services and
5 Facilities Construction Assistance and Bill of Rights Act, 42
6 U.S.C. ~~§ 6001~~ §15001 et seq.

7 Sec. 173. Section 225C.35, subsection 3, Code 2014, is
8 amended to read as follows:

9 3. "*Family member*" means a person less than eighteen years
10 of age who by educational determination has a moderate, severe,
11 or profound educational disability or special health care
12 needs or who otherwise meets the definition of developmental
13 disability in the federal Developmental Disabilities Assistance
14 and Bill of Rights Act, ~~section 102(5)~~, as codified in 42
15 U.S.C. ~~§ 6001(5)~~ §15002. The department shall adopt rules
16 establishing procedures for determining whether a child has a
17 developmental disability.

18 Sec. 174. Section 225C.47, subsection 1, paragraph b, Code
19 2014, is amended to read as follows:

20 b. "*Individual with a disability*" means an individual who is
21 less than twenty-two years of age and meets the definition of
22 developmental disability in 42 U.S.C. ~~§ 6001~~ §15002.

23 Sec. 175. Section 229.22, subsection 5, Code 2014, is
24 amended to read as follows:

25 5. The department of public safety shall prescribe the form
26 to be used when a law enforcement agency desires notification
27 under this section from a facility or hospital prior to
28 discharge of a person admitted to the facility or hospital and
29 for whom an arrest warrant has been issued or against whom
30 charges are pending. The form shall be consistent with all
31 laws, regulations, and rules relating to the confidentiality or
32 privacy of personal information or medical records, including
33 but not limited to the federal Health Insurance Portability
34 and Accountability Act of 1996, Pub. L. No. 104-191, and
35 regulations promulgated in accordance with that Act and

1 published in 45 C.F.R. pts. ~~160-64~~ 160-164.

2 Sec. 176. Section 249A.3, subsection 12, Code 2014, is
3 amended to read as follows:

4 12. In determining the eligibility of an individual for
5 medical assistance, the department shall consider income or
6 assets relating to trusts or similar legal instruments or
7 devices established on or before August 10, 1993, as available
8 to the individual, in accordance with the federal Comprehensive
9 Omnibus Budget Reconciliation Act of ~~1986~~ 1985, Pub. L. No.
10 99-272, § 9506(a), as amended by the federal Omnibus Budget
11 Reconciliation Act of 1986, Pub. L. No. 99-509, § 9435(c).

12 Sec. 177. Section 249F.1, subsection 2, paragraph b,
13 subparagraphs (7) and (8), Code 2014, are amended to read as
14 follows:

15 (7) Transfers to a trust established solely for the benefit
16 of the transferor's child who is blind or permanently and
17 totally disabled as defined in the federal Social Security Act,
18 section 1614, as codified in 42 U.S.C. ~~§ 1382b~~ §1382c.

19 (8) Transfers to a trust established solely for the benefit
20 of an individual under sixty-five years of age who is disabled,
21 as defined in the federal Social Security Act, section 1614, as
22 codified in 42 U.S.C. ~~§ 1382b~~ §1382c.

23 Sec. 178. Section 321.12, subsection 4, Code 2014, is
24 amended to read as follows:

25 4. The director shall not destroy any operating records
26 pertaining to arrests or convictions for operating while
27 intoxicated, in violation of section 321J.2 or operating
28 records pertaining to revocations for violations of section
29 321J.2A, except that a conviction or revocation under section
30 321J.2 or 321J.2A that is not subject to 49 C.F.R. § pt. 383
31 shall be deleted from the operating records twelve years after
32 the date of conviction or the effective date of revocation.
33 Convictions or revocations that are retained in the operating
34 records for more than twelve years under this subsection shall
35 be considered only for purposes of disqualification actions

1 under 49 C.F.R. § pt. 383.

2 Sec. 179. Section 321.450, subsection 1, Code 2014, is
3 amended to read as follows:

4 1. A person shall not transport or have transported or
5 shipped within this state any hazardous material except in
6 compliance with rules adopted by the department under chapter
7 17A. The rules shall be consistent with the federal hazardous
8 materials regulations adopted under United States Code, Tit.
9 49, and found in 49 C.F.R. § pts. 107, 171 to 173, 177, 178, and
10 180.

11 Sec. 180. Section 325A.6, Code 2014, is amended to read as
12 follows:

13 **325A.6 Insurance.**

14 All motor carriers subject to this chapter shall have
15 minimum insurance coverage which meets the limits established
16 in the federal motor carrier safety regulations in 49 C.F.R.
17 ~~ch.~~ pt. 387.

18 Sec. 181. Section 327J.1, subsection 1, Code 2014, is
19 amended to read as follows:

20 1. "AMTRAK" means the national railroad passenger
21 corporation created under 45 U.S.C. § ~~541~~ §24101.

22 Sec. 182. Section 459A.102, subsections 19 and 28, Code
23 2014, are amended to read as follows:

24 19. "Operating permit" means a permit which regulates
25 the operation of an open feedlot operation as issued by the
26 department or the United States environmental protection
27 agency, including as provided in state law or pursuant to the
28 federal Water Pollution Control Act, ~~Tit.~~ 33, U.S.C. ch. 26, as
29 amended, and 40 C.F.R. pt. 122.

30 28. "Waters of the United States" means the same as defined
31 in 40 C.F.R. ~~pt. 122, § 2~~ §122.2, as that section exists on
32 July 1, 2005.

33 Sec. 183. Section 502.304A, subsection 3, paragraph c, Code
34 2014, is amended to read as follows:

35 c. The issuer or a broker-dealer offering or selling the

1 securities is not or would not be disqualified under rule 505,
2 17 C.F.R. ~~§ 230.505(2)(iii)~~ §230.505(b)(2)(iii), adopted under
3 the federal Securities Act of 1933.

4 Sec. 184. Section 513B.13, subsection 8, paragraph f, Code
5 2014, is amended to read as follows:

6 f. Premium rates charged for reinsurance by the program to
7 a health maintenance organization that is federally qualified
8 under 42 U.S.C. ~~§ 300e(c)(2)(A)~~ §300e(c)(2)(A), and is thereby
9 subject to requirements that limit the amount of risk that may
10 be ceded to the program that are more restrictive than those
11 specified in paragraph "d", shall be reduced to reflect that
12 portion of the risk above the amount set forth in paragraph "d"
13 that may not be ceded to the program, if any.

14 Sec. 185. Section 513B.13, subsection 11, paragraph b,
15 subparagraph (4), Code 2014, is amended to read as follows:

16 (4) Subject to the approval of the commissioner, the
17 board shall make an adjustment to the assessment formula for
18 reinsuring carriers that are approved health maintenance
19 organizations which are federally qualified under 42 U.S.C.
20 ~~§ 300~~ §300e et seq., to the extent, if any, that restrictions
21 are placed on them that are not imposed on other small employer
22 carriers.

23 Sec. 186. Section 514I.2, subsection 9, Code 2014, is
24 amended to read as follows:

25 9. "*Health insurance coverage*" means health insurance
26 coverage as defined in 42 U.S.C. ~~§ 300gg(91)~~ §300gg-91.

27 Sec. 187. Section 515.35, subsection 4, paragraph a, Code
28 2014, is amended to read as follows:

29 a. *United States government obligations.* Obligations
30 issued or guaranteed by the United States or an agency or
31 instrumentality of the United States. Bonds or other evidences
32 of indebtedness issued, assumed, or guaranteed by the United
33 States of America, or by any agency or instrumentality of the
34 United States of America include investments in an open-end
35 management investment company registered with the federal

1 securities and exchange commission under the federal Investment
2 Company Act of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1 et seq., and
3 operated in accordance with 17 C.F.R. § 270.2a-7, the portfolio
4 of which is limited to the United States government obligations
5 described in this paragraph "a", and which are included in the
6 national association of insurance commissioners' securities
7 valuation office's United States direct obligation - full faith
8 and credit list.

9 Sec. 188. Section 518.14, subsection 4, paragraph a, Code
10 2014, is amended to read as follows:

11 *a. United States government obligations.* Bonds or other
12 evidences of indebtedness issued, assumed, or guaranteed by the
13 United States of America, or by any agency or instrumentality
14 of the United States of America, including investments in an
15 open-end management investment company registered with the
16 federal securities and exchange commission under the federal
17 Investment Company Act of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1 et seq.,
18 and operated in accordance with 17 C.F.R. § 270.2a-7, the
19 portfolio of which is limited to the United States obligations
20 described in this paragraph, and which are included in the
21 national association of insurance commissioners' securities
22 valuation office's United States direct obligation - full faith
23 and credit list.

24 Sec. 189. Section 518A.12, subsection 4, paragraph a, Code
25 2014, is amended to read as follows:

26 *a. United States government obligations.* Bonds or other
27 evidences of indebtedness issued, assumed, or guaranteed by the
28 United States of America, or by any agency or instrumentality
29 of the United States of America, including investments in an
30 open-end management investment company registered with the
31 federal securities and exchange commission under the federal
32 Investment Company Act of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1 et seq.,
33 and operated in accordance with 17 C.F.R. § 270.2a-7, the
34 portfolio of which is limited to the United States obligations
35 described in this paragraph, and which are included in the

1 national association of insurance commissioners' securities
2 valuation office's United States direct obligation — full faith
3 and credit list.

4 Sec. 190. Section 524.901, subsection 4, Code 2014, is
5 amended to read as follows:

6 4. A state bank may invest without limit in the shares or
7 units of investment companies or investment trusts registered
8 under the federal Investment Company Act of 1940, 15 U.S.C.
9 ~~§ 80a~~ §80a-1 et seq., the portfolio of which is limited to
10 United States investment securities described in subsection
11 3 or repurchase agreements fully collateralized by United
12 States investment securities described in subsection 3, if
13 delivery of the collateral is taken either directly or through
14 an authorized custodian and the dollar-weighted average
15 maturity of the portfolio is not more than five years. All
16 other investments by a state bank in the shares or units of
17 investment companies or investment trusts registered under
18 the federal Investment Company Act of 1940, 15 U.S.C. ~~§ 80a~~
19 §80a-1 et seq., whose portfolios exclusively contain investment
20 securities permissible pursuant to subsections 2 and 3, shall
21 not exceed fifteen percent of the state bank's aggregate
22 capital.

23 Sec. 191. Section 535.2, subsection 2, paragraph a,
24 subparagraph (4), Code 2014, is amended to read as follows:

25 (4) A domestic or foreign corporation, and a real estate
26 investment trust as defined in section 856 of the Internal
27 Revenue Code, and a person purchasing securities as defined
28 in chapter 502 on credit from a broker or dealer registered
29 or licensed under chapter 502 or under the federal Securities
30 Exchange Act of 1934, 15 U.S.C., ~~ch. 78A~~ §78a et seq., as
31 amended.

32 Sec. 192. Section 535.12, subsection 4, Code 2014, is
33 amended to read as follows:

34 4. As used in this section, "*agricultural credit*
35 *corporation*" means a corporation which has been designated by

1 the farm credit bank of Omaha, Nebraska, as an agricultural
2 credit corporation eligible to sell or discount loans to that
3 bank pursuant to 12 U.S.C. ~~§ 2074~~ §2075.

4 Sec. 193. Section 551A.3, subsection 3, paragraph b, Code
5 2014, is amended to read as follows:

6 *b.* A disclosure document prepared pursuant to the federal
7 trade commission rule relating to disclosure requirements and
8 prohibitions concerning franchising and business opportunity
9 ventures in accordance with 16 C.F.R. § pt. 436 or any
10 successor regulation.

11 Sec. 194. Section 551A.4, subsection 1, paragraph b,
12 subparagraph (1), subparagraph division (b), Code 2014, is
13 amended to read as follows:

14 (b) A disclosure document prepared pursuant to the federal
15 trade commission rule entitled "Disclosure requirements and
16 prohibitions concerning franchising and business opportunity
17 ventures", 16 C.F.R. § pt. 436 or any successor regulation.

18 Sec. 195. Section 602.8103, subsection 5, paragraph b, Code
19 2014, is amended to read as follows:

20 *b.* An open-end management investment company organized in
21 trust form registered with the federal securities and exchange
22 commission under the federal Investment Company Act of 1940,
23 15 U.S.C. ~~§ 80a~~ §80a-1 et seq., and operated in accordance
24 with 17 C.F.R. § 270.2a-7, the portfolio of which is limited
25 to obligations of the United States of America or agencies
26 or instrumentalities of the United States of America and to
27 repurchase agreements fully collateralized by obligations of
28 the United States of America or an agency or instrumentality
29 of the United States of America if the investment company
30 takes delivery of the collateral either directly or through an
31 authorized custodian.

32 Sec. 196. Section 636.23, subsections 2 and 16, Code 2014,
33 are amended to read as follows:

34 2. *Federal bank bonds.* Bonds, notes or other obligations
35 issued by any federal land bank, federal intermediate credit

1 bank, bank for cooperatives, or any or all of the federal farm
2 credit banks, and in bonds issued by any federal home loan
3 bank under the Act of Congress known and cited as the federal
4 Home Loan Bank Act, [12 U.S.C. § 1421 - 1449] and the Acts
5 amendatory thereof.

6 16. *Investments included — government obligations.* Federal
7 bonds, federal bank bonds, and bonds and debentures guaranteed
8 by the federal government which are authorized investments
9 under subsections 1, 2, and 11 include investments in an
10 investment company or investment trust registered under the
11 federal Investment Company Act of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1
12 et seq., the portfolio of which is limited to the United States
13 government obligations described in subsections 1, 2, and 11
14 and to repurchase agreements fully collateralized by such
15 United States government obligations, if the investment company
16 or investment trust takes delivery of the collateral either
17 directly or through an authorized custodian.

18 Sec. 197. Section 714B.10, subsection 2, Code 2014, is
19 amended to read as follows:

20 2. Advertising in connection with the sale or purchase of
21 books, recordings, videocassettes, periodicals, and similar
22 goods through a membership group or club which is regulated by
23 the federal trade commission pursuant to 16 C.F.R. ~~pt. §425.1,~~
24 concerning use of negative option plans by sellers in commerce.

25 Sec. 198. Section 907B.2, subsection 6, paragraph f,
26 unnumbered paragraph 1, Code 2014, is amended to read as
27 follows:

28 Public notice shall be given of all meetings and all
29 meetings shall be open to the public, except as set forth
30 in the rules or as otherwise provided in the compact. The
31 interstate commission shall promulgate rules consistent with
32 the principles contained in the federal Government in the
33 Sunshine Act, 5 U.S.C. ~~§ 552(6)~~ §552(a)(6), as may be amended.
34 The interstate commission and any of its committees may close a
35 meeting to the public where it determines by two-thirds vote

1 that an open meeting would be likely to:

2 DIVISION IV

3 EFFECTIVE DATE AND APPLICABILITY PROVISIONS

4 Sec. 199. EFFECTIVE UPON ENACTMENT. The following
5 provisions of division I of this Act, being deemed of immediate
6 importance, take effect upon enactment:

7 1. The section of this Act amending section 384.3A.

8 2. The section of this Act amending 2013 Iowa Acts, ch. 24,
9 section 13.

10 3. The section of this Act amending section 456A.38,
11 subsection 4, as enacted by 2013 Iowa Acts, ch. 64, section 1.

12 4. The section of this Act amending 2013 Iowa Acts, ch. 125,
13 section 25.

14 Sec. 200. RETROACTIVE APPLICABILITY. The section in
15 division I of this Act amending section 384.3A applies
16 retroactively to June 20, 2013.

17 Sec. 201. RETROACTIVE APPLICABILITY. The section in
18 division I of this Act amending 2013 Iowa Acts, ch. 24, section
19 13, applies retroactively to July 1, 2013.

20 Sec. 202. RETROACTIVE APPLICABILITY. The section in
21 division I of this Act amending section 456A.38, subsection
22 4, as enacted by 2013 Iowa Acts, ch. 64, section 1, applies
23 retroactively to July 1, 2013.

24 Sec. 203. RETROACTIVE APPLICABILITY. The section in
25 division I of this Act amending 2013 Iowa Acts, ch. 125,
26 section 25, applies retroactively to January 1, 2013, for tax
27 years beginning on or after that date.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill contains statutory corrections that adjust
32 language to reflect current practices, insert earlier
33 omissions, delete redundancies and inaccuracies, delete
34 temporary language, resolve inconsistencies and conflicts,
35 update ongoing provisions, or remove ambiguities. The Code

1 sections amended include the following:

2 DIVISION I.

3 Code section 2C.16: Clarifies language that requires the
4 office of ombudsman to notify the general assembly when a
5 law results in an administrative action which is unfair or
6 otherwise objectionable.

7 Code section 6B.4: Reorganizes language to clarify the
8 commission member and chairperson selection process, and
9 numbers unnumbered paragraphs to facilitate citation, in
10 language relating to the appointment of a compensation
11 commission under eminent domain procedures.

12 Code sections 6B.37 and 6B.40: Replaces the word "above"
13 with a specific Code section reference to eliminate ambiguity
14 in two provisions relating to the documents that must be filed
15 and recorded in appeals taken in condemnation proceedings.

16 Code section 7C.12: Changes a reference to the private
17 activity bond allocation Act by name to refer to the Code
18 chapter which encompasses and is named after that Act.

19 Code section 9I.3: Strikes reserved subparagraph (5)
20 in subsection 3, paragraph "d", renumbers, and corrects an
21 internal reference in this Code provision prohibiting the
22 ownership of certain agricultural land by nonresidents to
23 correct the internal reference issue created by the 2013 strike
24 of former subparagraph (5) by 1989 Iowa Acts, ch. 311, §33.

25 Code sections 12C.16 and 12C.17: Strikes references, in
26 two Code provisions governing the deposit of public funds, to
27 the United States central credit union which was shut down on
28 October 29, 2012, by the national credit union administration.

29 Code section 16.2: Changes the word "board" to "authority"
30 to conform the language of subsection 1 to the language in the
31 balance of this Code section relating to the appointment of the
32 Iowa finance authority board of directors.

33 Code section 16.197: Reinstates language which refers
34 to members or other persons acting within the scope of their
35 employment or agency to clarify which persons are not subject

1 to personal liability as a result of carrying out the powers
2 and duties of the Iowa finance authority.

3 Code section 16.221: Strikes a reference to Code section
4 175.35, which was repealed by 2013 Iowa Acts, ch. 125, §22, in
5 language describing the duties of the agricultural development
6 division of the Iowa finance authority.

7 Code section 17A.4: Strikes in subsection 3, paragraph
8 "c", language relating to the showing that must be made by
9 an agency if a category of rules is challenged to conform to
10 the strike of the same language by 2013 Iowa Acts, ch. 114,
11 §1, elsewhere in this subsection. In subsection 5, obsolete
12 language and the word "above" are stricken, the expression of a
13 negative is updated to current style, and the requirements of
14 the first sentence relating to the requirements for validity of
15 adopted administrative rules are conformed to the language of
16 the second sentence which creates a conclusive presumption of
17 validity if a rule is not challenged within two years after its
18 effective date. In subsection 9, replaces the word "of" with
19 the word "that" and strikes a later instance of the word "that"
20 to improve the readability of provisions describing the timing
21 of a notice regarding suspension of a notice of intended action
22 to adopt an administrative rule.

23 Code section 23.6: Changes the initial language of
24 subsection 6 relating to the authority of the Iowa public
25 information board to examine records of a government body
26 so that it begins with a verb to conform the style of the
27 provision to the style of the other subsections in the Code
28 section.

29 Code section 23.9: Replaces the words "on its own staff"
30 with "of the board" to clarify that the employees referred to
31 in this provision relating to complaint resolution by the Iowa
32 public information board are employees of the board.

33 Code section 24.13: Strikes the word "hereinbefore" and
34 inserts "under this chapter" to clarify that the procedures to
35 be followed by a board which has the power to levy a tax are the

1 same as required for certifying boards under Code chapter 24.

2 Code section 28D.6: Supplies a missing definite article
3 in this language relating to eligibility of an employee who
4 suffers a disability or death, as a result of an assignment
5 in connection with a federal, state, or local interchange
6 of employees, for compensation under the receiving agency's
7 employee compensation program.

8 Code section 29A.50: Strikes an incorrect comma within a
9 series describing the immunity of the commanding officer and
10 members of the military forces when carrying out duties in
11 support of local or state authorities.

12 Code section 35D.2: Adds the word "who" in two places to
13 improve the readability of a series establishing the criteria
14 for admission to the Iowa veterans home.

15 Code section 80D.12: Changes "police" to "peace" in
16 language describing the status of reserve law enforcement
17 officers of a tribal government to conform with changes made
18 elsewhere in Code chapter 80D by 2013 Iowa Acts, ch. 48.

19 Code section 89.3: Changes the word "over" to "within" in
20 one instance, and to "per" in another, in language describing
21 the inspections of boilers to clarify that it is the frequency,
22 not the duration, of the inspections that is described.

23 Code section 101.21: Changes the words "complies with"
24 to "meets" and adds the word "criteria" to clarify that the
25 list of items which follow are existing characteristics of
26 aboveground storage tanks that are excluded from the definition
27 of aboveground storage tanks that are regulated and subject to
28 registration under Code sections 101.21 through 101.27.

29 Code section 101A.2: Changes "to" to "through" to clarify
30 that the circumstances specified in Code section 101A.11 are
31 also one of the lawful means for a person to manufacture,
32 import, store, detonate, sell, or otherwise transfer explosive
33 materials.

34 Code section 105.10: Adds the word "plumbing", to a series
35 in subsection 2 of this Code section that describes the kinds

1 of plumbing, mechanical, and other work that must be performed
2 by a licensed master to conform the language to other language
3 within this same subsection.

4 Code section 123.3: Adds language describing a volume
5 measurement for alcoholic beverages to the definition of
6 "alcoholic liquor" or "intoxicating liquor" in language
7 referencing the definition of "beer" to conform to changes made
8 to the definition of "beer" by 2013 Iowa Acts, ch. 35, §24.

9 Code section 123.30: Corrects the punctuation and adds the
10 word "or" to correct a series that describes the persons who
11 may, as a result of a person being issued a liquor control
12 license or wine or beer permit, enter the premises where
13 alcoholic beverages are stored, served, or sold, without a
14 warrant during business hours to inspect for violations of
15 state or local regulations.

16 Code section 123.138: Changes the word "and" to "or" to
17 clarify that each of the different types of beer permittees or
18 liquor control licensees are required to keep proper records of
19 each purchase of beer.

20 Code section 125.10: Changes the term "substance abuse"
21 to "substance-related disorders" to conform the language of
22 this provision relating to the duties of the director of public
23 health to terminology changes made throughout the Code by 2011
24 Acts, ch. 121.

25 Code section 135C.41: Updates the style of this provision
26 relating to the alternative procedures available to a health
27 care facility which has been served with a citation by the
28 department of inspections and appeals after an inspection or
29 investigation of the facility.

30 Code section 144A.2: Adds a comma to a definition to
31 clarify that both the provision of nutrition or hydration and
32 the administration of medication or performance of a medical
33 procedure to provide comfort care or alleviate pain are not
34 considered to be a "life-sustaining procedure".

35 Code section 159.18: Adds a reference to the Iowa finance

1 authority to language relating to the entities with which the
2 department of agriculture and land stewardship is to cooperate
3 to promote certain farm programs, including the beginning
4 farmer loan program. The beginning farmer loan program was
5 placed under the jurisdiction of the Iowa finance authority by
6 2013 Iowa Acts, ch. 100.

7 Code section 161A.44: Renumbers, reorganizes, and changes
8 the word "may" to "shall" in this provision relating to powers
9 and duties of commissioners of soil and water conservation
10 districts to separate the provisions articulating the powers
11 and duties that the commissioners may exercise from the
12 prohibitions restricting the authority of the commissioners.
13 An internal reference to this provision as renumbered is
14 corrected in division II of the bill.

15 Code section 172A.10: Numbers this provision to facilitate
16 citation and supplies missing language to clarify that a
17 slaughterhouse broker or dealer who is required to maintain
18 proof of financial responsibility but fails to do so may be
19 subject to liability for nuisance and is guilty of a serious
20 misdemeanor.

21 Code section 175.31: Replaces language referring to
22 the content of former Code sections 234.15 to 234.20 with a
23 reference to the last edition of the Iowa Code in which that
24 content appeared to facilitate future hypertext linkage to
25 the former language of those Code sections in this provision
26 describing the subsequent administration of the agricultural
27 development programs that had been authorized under those
28 former Code sections.

29 Code section 175.37: Adds a comma to clarify that the
30 tax credit for agricultural assets that are subject to
31 an agricultural assets transfer agreement is allowed for
32 agricultural land and improvements to that land that are
33 located in this state.

34 Code section 203.10 and 203C.10: Strikes a comma in each
35 provision to clarify that rules relating to suspension or

1 revocation of grain dealers' and agricultural product warehouse
2 licenses are adopted under Code chapter 17A and to conform to
3 similar changes made to these Code sections by 2013 Iowa Acts,
4 ch. 90, §33, 34.

5 Code section 203C.15: Adds the word "and" between the words
6 "operators" and "owners" to clarify that warehouse operators
7 and owners of bulk grain are last in the order of precedence of
8 claimants against an insurance policy on products stored in a
9 licensed agricultural products warehouse.

10 Code section 206.2: Rewrites to update the style of this
11 definitions Code section for the Code chapter regulating
12 pesticides.

13 Code section 216A.2: Inserts the word "department" before
14 two instances of the term "director" to conform a subsection
15 describing the position and duties of the person appointed to
16 serve as the chief administrative officer of the department
17 of human rights to conform to references to that position
18 elsewhere in this Code section and to the definition of
19 "department director" in Code section 216A.4.

20 Code sections 225C.7 and 225C.12: Repeals these two
21 provisions relating to mental health and developmental
22 disabilities community services funding and reimbursement to
23 counties for local inpatient mental health care and treatment
24 which were superseded by the enactment of Code section 225C.7A
25 by 2012 Iowa Acts, ch. 1120. An internal reference to Code
26 section 225C.7 is corrected in division II of the bill.

27 Code section 225C.18: Repeals this provision relating to
28 mental health and developmental disabilities regional planning
29 councils which were superseded by the enactment of Code
30 sections 331.388 through 331.398 by 2012 Iowa Acts, ch. 1120.

31 Code section 230.2: Rewrites this provision to clarify what
32 determinations must be made by the court in the event that a
33 person's residency is disputed to account for the changes made
34 by 2012 Iowa Acts, ch. 1120, §107, to this Code section.

35 Code section 230.11: Splits a sentence and adds language

1 relating to payments to provide an antecedent which was
2 inadvertently lost as the result of an amendment by 2012
3 Iowa Acts, ch. 1120, to language regarding method of payment
4 for costs and expenses for the taking into custody, care,
5 and investigation of persons with mental illness who are
6 nonresidents or whose residence is unknown.

7 Code section 230.34: Rewrites this definitions provision
8 for the Code chapter pertaining to support of persons with
9 mental illness to eliminate redundant language and conform the
10 provision to current style.

11 Code section 231.4: Changes a reference to "homemaker, home
12 health aide services" to refer to "homemaker-home health aide
13 services" to conform this provision defining what constitutes
14 home and community-based services for purposes of department on
15 aging programs with other references to homemaker-home health
16 aide services elsewhere in the Code.

17 Code section 232.80: Replaces the word "Act" with the
18 word "chapter" in this section relating to the provision of
19 homemaker-home health aide services to children under Code
20 chapter 232. The enabling legislation for this Code section,
21 1978 Iowa Acts, ch. 1088, which used the word "Act" when this
22 provision was enacted, was a rewrite of juvenile justice laws
23 that established Code chapter 232. While there were other
24 provisions that were amended by that Act, those amendments
25 corresponded to the enactment of the new Code chapter.

26 Code section 232.90: Adds the words "and the attorney
27 general" to language requiring the county attorney in charge
28 of child in need of assistance proceedings to comply with the
29 requirements of the state and federal Indian child welfare Acts
30 to conform to changes made to this Code section by 2013 Iowa
31 Acts, ch. 113, which permits the department of human services
32 to request that the attorney general represent the department's
33 interests instead of the county attorney.

34 Code section 232.102: Corrects an internal reference that
35 was inadvertently not corrected when a new subsection 7A was

1 added by 1998 Iowa Acts, ch. 1190, and this provision was
2 renumbered during codification.

3 Code section 249A.47: Move the words "without good cause"
4 so that they modify the language describing the failure of a
5 person to comply with a request by the department for timely
6 access for the purpose of audits, investigation, evaluation,
7 or other functions of the department, instead of modifying the
8 language relating to a reasonable request by the department for
9 access.

10 Code section 252.27: Replaces the word "to" with "through"
11 to update the style and make clear that the procedures and
12 standards contained in subsection 12 also apply to appeals from
13 decisions of the county board of supervisors regarding support
14 of the poor.

15 Code section 252.37: Changes the word "it" to the word "who"
16 to conform to a previous clause and to clarify that the board
17 of supervisors is the entity responsible for directing specific
18 assistance in appeals by a poor person from a rejection by the
19 general assistance director of a request for assistance.

20 Code section 256.7: Changes the word "department" to
21 "state board" in language relating to the adoption of rules
22 prescribing a core curriculum for students in kindergarten
23 through grade twelve in this Code section which describes the
24 duties of the state board, to correct a drafting error in 2011
25 Iowa Acts, ch. 71, §1.

26 Code section 256.42: Adds the words "or school" after the
27 word "district" in this provision describing the submission
28 of online curricula by nonpublic schools and school districts
29 which participate in the online learning initiative to conform
30 to earlier language which indicates that both nonpublic schools
31 and school districts may participate in the program.

32 Code section 258.6: Redrafts the definitions Code section
33 for the Code chapter pertaining to vocational education
34 to conform to current Code style and to alphabetize the
35 definitions.

1 Code section 258.12: Substitutes for the words "said Act"
2 a specific reference to the Carl D. Perkins Vocational and
3 Technical Education Act, the funds from which are accepted
4 under Code section 258.1, to clarify that the treasurer of
5 state is the custodian of those federal funds.

6 Code section 260G.7: Repeals this provision which requires
7 the general assembly to act on or before March 1, 2006, to
8 discontinue program job credits from withholding under the
9 accelerated career education program. The general assembly did
10 not act to discontinue program job credits under the program on
11 that date and has continued to fund those job credits.

12 Code section 278.3: Substitutes for a reference to "said
13 subsection" a reference to Code section 297.7, subsection 2,
14 to facilitate hypertext linkage and clarify that the authority
15 that is granted to the board of directors of a school district
16 in that subsection is the authority that is to be construed as
17 independent of the power vested in the electors.

18 Code section 283A.1: Adds the words "unless the context
19 otherwise requires" to prefatory language in this definitions
20 section for Code chapter 283A, because although the Code
21 chapter generally relates to the operation of school meal
22 programs in public schools, Code section 283A.10 permits the
23 operation of a school breakfast or lunch program in nonpublic
24 schools.

25 Code section 297.30: Replaces the words "executive
26 council" with the word "department" to conform to changes
27 made to provisions elsewhere in what is now Code chapter 297
28 by 1986 Iowa Acts, ch. 1245, which moved the responsibility
29 for the sale of certain school buildings and sites, which
30 had previously been part of a mining camp but were no longer
31 needed for school purposes, from the executive council to the
32 department of education.

33 Code section 299.6A: Changes the word "placed" to "to
34 place" to correct the grammar of language specifying the
35 responsibility of a parent, guardian, or legal or actual

1 custodian to place a child under competent private or
2 independent private instruction.

3 Code section 306D.1: Adds a citation to the Code chapter
4 which contains the enabling legislation for the state's open
5 space program after a reference to that program by name in this
6 provision that establishes the goals for the scenic highways
7 program.

8 Code section 307.23: Rewrites to modernize the style and
9 improve the readability of this Code section relating to the
10 general counsel for the state department of transportation.

11 Code section 309.41: Numbers unnumbered paragraphs and
12 corrects incorrect punctuation in this provision establishing
13 an optional advertisement and letting procedure for contracts
14 for certain county road construction projects.

15 Code section 309.43: Rewrites this provision relating to
16 the opening and recording of road construction bids to update
17 the style and improve the readability of the language.

18 Code section 313.2: Numbers unnumbered paragraphs and
19 replaces the word "thereon" with language clarifying that
20 buildings on rest area sites are the buildings that are to
21 be maintained and secured by employees of the department of
22 transportation, in this provision allocating jurisdiction over
23 and responsibility for the roads and streets of this state.

24 Code section 313.28: Adds the word "road" to language
25 relating to the designation of secondary roads as haul roads
26 for or detours from a primary road to conform to earlier
27 language within this same provision.

28 Code sections 313.65 and 313.66: Rewrites these two
29 provisions to enumerate a series and improve the readability
30 of language specifying the entities of which the tax levying
31 and tax certifying bodies must first approve an agreement to
32 operate and maintain, take over, or purchase a bridge before
33 action may be taken on the agreement by the department of
34 transportation.

35 Code section 317.25: Rewrites and reorganizes language to

1 improve readability and to enumerate the list of plants which
2 are considered to be invasive and for which importing, sale,
3 offering for sale, or distribution is prohibited.

4 Code section 321.24: Changes two incorrect references from
5 "paragraph" to "subsection" to reflect that the paragraphs
6 in this Code section relating to vehicle registration and
7 certificates of title have been designated as subsections.

8 Code sections 321.178, 321.180B, and 321.194: Strikes
9 obsolete language relating to a period of time in which only
10 warning citations were issued for persons who improperly
11 used electronic communication or entertainment devices while
12 operating a motor vehicle.

13 Code section 321.180A: Adds the missing words "elimination
14 of" to clarify the meaning of language relating to situations
15 in which persons with physical disabilities may be issued
16 a special instruction permit that authorizes the person to
17 operate a motor vehicle.

18 Code section 321.498: Updates the format of a provision that
19 describes the legal presumptions that apply to a nonresident
20 who accepts the privilege to operate a motor vehicle in this
21 state, by adding the words "to be all of the following", and
22 striking the word "and" and adding a period in two places.

23 Code sections 321.555 and 321.562: Replaces a reference to
24 "division" with a series of Code section citations in these
25 two provisions, relating to the adjudication of a person as an
26 "habitual offender" of laws relating to operation of a motor
27 vehicle and licensing of persons to operate motor vehicles,
28 because Code chapter 321 does not contain numbered divisions
29 within the Code chapter.

30 Code sections 321A.8, 321A.9, 321A.10, and 321A.13:
31 Substitutes a series of Code section citations for a string
32 citation in provisions relating to motor vehicle financial
33 responsibility to eliminate an internal self-reference issue.

34 Code section 321J.17: Adds the words "period of the" in
35 language describing duration of a revocation of a person's

1 driving privileges in this provision containing the conditions
2 for reinstatement of a person's driver's license or nonresident
3 operating privilege after a revocation of that license or
4 privilege for operating a motor vehicle while intoxicated.

5 Code sections 331.301 and 364.3: Adds the words "plumbing
6 and mechanical systems" before the word "board" in these two
7 provisions prohibiting the imposition of fees or charges by
8 a county or city on persons licensed by the plumbing and
9 mechanical systems board for the right to perform work within
10 the scope of that license to clarify that the state licensing
11 board is the entity being referenced. The term "board" is
12 defined under Code chapter 331 as meaning the county board of
13 supervisors and Code chapter 364 contains references to various
14 municipal boards.

15 Code section 384.3A: Corrects the date by which a city must
16 have collected certain excess franchise fee revenue in order
17 for the revenue to be available for purposes of inspecting,
18 supervising, and otherwise regulating each franchise approved
19 by a city. When the date on which the enabling legislation
20 took effect, June 20, 2013, was being substituted for the words
21 "on the effective date of this Act" as part of the codification
22 process, the date was incorrectly entered as June 30, 2013,
23 into the database. The correction of this error is made
24 effective upon enactment and retroactively applicable to June
25 20, 2013, in division IV of the bill.

26 Code sections 422.32 and 422.33: Strikes a definition of the
27 term "income from sources within this state" from Code section
28 422.33 and places the definition in alphabetical order with
29 the other definitions in Code section 422.32 that pertain to
30 business tax on corporations.

31 Code section 423A.6: Adds the words "amount of the" to
32 conform language used to describe the transfer of revenue
33 generated by the state hotel and motel tax to other similar
34 language elsewhere in the Code describing similar transfers.

35 Code section 433.2: Updates language and adds language

1 clarifying that the statements required by telegraph and
2 telephone companies under Code section 433.1 are the statements
3 which are being received and examined by the director of
4 revenue under this Code section.

5 Code section 433.4: Replaces the word "these" with
6 "telegraph and telephone" to clarify the kinds of companies
7 for which the director of revenue is to make determinations
8 regarding the actual value of company property.

9 Code section 437A.3: Changes the word "paragraph" to
10 "subparagraph" in a definition of the term "electric power
11 generating plant" to conform the language of this provision
12 to the changes made to very similar language in Code section
13 437B.2 by 2013 Iowa Acts, ch. 140, §67.

14 Code section 441.4: Adds the word "public" before the
15 word "hearing", to reflect and conform to antecedent language
16 referring to the holding of a public hearing, in this provision
17 regarding the process for removal of a member of a city or
18 county property assessor or deputy assessor examining board
19 from that board.

20 Code section 452A.6A: Strikes a comma and adds the word "to"
21 to correct the grammar and improve the readability of language
22 describing when a refiner, supplier, terminal operator, or
23 terminal owner may not refuse to sell or transport conventional
24 motor fuel blendstock to a distributor or dealer.

25 Code section 455A.20: Changes the word "division" to
26 "subchapter" in a reference to a subunit of Code chapter
27 455A governing resources enhancement and protection to avoid
28 a conflict with other uses of the term "division" within
29 Code chapter 455A which are intended to refer to the soil
30 conservation division of the department of agriculture and land
31 stewardship.

32 Code section 461.1: Replaces the word "Act" with the word
33 "chapter" to acknowledge that the Act which created Code
34 chapter 461 is now codified in that Code chapter and to conform
35 this language to Code sections in other Code chapters which

1 contain the short title for the Code chapter.

2 Code section 462A.49: Updates the style of the provision
3 and replaces the term "such card" with "a `registration applied
4 for' card" to clarify what card a manufacturer or dealer is
5 prohibited from allowing the use of unless an application for a
6 registration certificate has been made.

7 Code section 462A.77: Strikes the words "or other person
8 who administers oaths" to conform this language describing the
9 requirements for an application for a certificate of title for
10 a vessel to the definition of "notarial officer" contained in
11 Code chapter 9B. The word "division" is also replaced with the
12 word "subchapter" to avoid conflicts with other uses of the
13 term "division" within Code chapter 462A.

14 Code section 466.9: Adds, in two places in subsection
15 1, the words "of natural resources" to clarify that it is
16 that department which has control over the on-site wastewater
17 systems assistance fund, because the department of agriculture
18 and land stewardship also has responsibilities under Code
19 chapter 466. In addition, in subsection 3, paragraph a,
20 subparagraph (1), the word "for" is substituted for the word
21 "with" to conform the language relating to the purposes of the
22 financing account of the on-site wastewater systems assistance
23 fund to match language describing the purposes of the fund
24 which is found in subsection 1 of this Code section.

25 Code section 468.69: Replaces the words "and/or" with the
26 word "or" to eliminate an obsolete drafting style in language
27 relating to when drainage or levee district bonds may be
28 acquired by any taxpayer or group of taxpayers of the district.

29 Code section 490.728: Changes the word "vote" to "be voted"
30 to reflect that it is the individuals who own the shares
31 referred to in this provision who are entitled to vote based on
32 share ownership in corporate elections.

33 Code section 490.860: Changes the words "at the time" to
34 "the time at which" to conform the language of this paragraph
35 to the style of the preceding paragraph in this definition of

1 "relevant time" under the business corporations Code chapter.

2 Code sections 499.66 and 501.616: Substitutes the word
3 "equation" for the word "division" in similar language in the
4 cooperative associations Code chapter and the Code chapter
5 containing the revised uniform unincorporated nonprofit
6 association Act to avoid accidental hypertext linkage. The
7 term division is used in some chapters in the Code to refer to
8 Code chapter subunits, but in these instances, reference to a
9 mathematical equation is intended.

10 Code section 501B.7: Changes the word "by" to "in the office
11 of the" in language relating to the filing of statements of
12 authority under the revised uniform unincorporated nonprofit
13 association Act to conform the language of subsection 7 to the
14 language of subsection 2 of this Code section and other similar
15 language throughout this Code chapter.

16 Code section 502.412: Adds, in two places, the word "on"
17 to a series to relate the parts of the series to the language
18 of this provision which describes the process and reasons for
19 imposition of penalties on persons for violations of securities
20 broker-dealers or investment advisors.

21 Code section 508C.3: Restructures a subsection by moving a
22 paragraph, which covers situations in which coverage against
23 the failure in the performance of contractual obligations under
24 life and health insurance policies and annuity contracts due to
25 impairment or insolvency of the insurer is not to be provided,
26 from subsection 1, which covers the situations in which
27 coverage should be provided, into a new subsection. Language
28 in a succeeding paragraph in subsection 1 which repeats
29 language contained in the prefatory clause to subsection 1 is
30 stricken to conform the style of the paragraph to the remaining
31 paragraphs of subsection 1.

32 Code section 514I.8: Supplies the missing language, "shall
33 be used", in language describing what methodology is to be used
34 to determine family income under the hawk-i program.

35 Code section 515.35: Converts a paragraph, which by its

1 own terms relates to the adoption of rules to carry out the
2 purposes of this Code section relating to investments of
3 insurance companies, into a subsection to remove it from the
4 subsection which pertains to the types of investments in which
5 insurance companies may invest.

6 Code section 521B.104: Adds the words "United States"
7 before the words "federal or state authorities" to conform this
8 language in subsection 2 describing when a qualified United
9 States financial institution is eligible to act as a fiduciary
10 of a trust to otherwise identical language in subsection 1 that
11 describes when an institution is a qualified United States
12 financial institution.

13 Code section 535.2: Strikes the unnecessary word "hereof"
14 to conform the citation style of an internal reference to
15 subsection 2 in this prefatory language describing rates of
16 interest on money in certain transactions to a later internal
17 reference to subsection 3.

18 Code section 543B.20: Changes the word "registration" to
19 "a license" to reflect the fact that real estate brokers and
20 salespersons are licensed, not registered.

21 Code section 543B.46: Adds the words "credit union" in
22 two provisions which describe the real estate commission's
23 authority to examine trust accounts of real estate brokers to
24 correct the omission of credit unions from that language and to
25 reflect the language of subsection 1 which permits brokers to
26 maintain trust accounts in credit unions, in addition to banks
27 and savings associations.

28 Code section 554.3312: Strikes nonconforming Code
29 subparagraph subdivision references from within Code section
30 text in this provision to conform to changes made elsewhere in
31 the uniform commercial code and this Code section by 2013 Iowa
32 Acts, ch. 30.

33 Code section 554.3504: Corrects punctuation in a series
34 from which nonconforming Code subparagraph subdivision
35 references were stricken by 2013 Iowa Acts, ch. 30.

1 Code section 554.9502: Strikes a colon to conform the
2 punctuation of this provision to the language of this same
3 provision in the model uniform commercial code and to reflect
4 that the word "but" applies only to subparagraph (1), which
5 expresses a negative, and not subparagraph (2) of this
6 paragraph.

7 Code section 559.2: Replaces the word and numerals "section
8 559.1" with "this chapter" because the term "power to appoint"
9 is currently used throughout Code chapter 559, which relates
10 to powers of appointment. When this provision was originally
11 enacted by 1947 Iowa Acts, ch. 275, Code section 559.1 was the
12 only provision in Code chapter 559.

13 Code sections 572.13A and 572.13B: Adds the words "internet
14 site" to language to conform these two provisions within the
15 mechanics' notice and lien Code chapter to changes made by
16 2012 Iowa Acts, ch. 1105, ch. 1138, and 2013 Iowa Acts, ch.
17 99, which included the words "internet site" after references
18 to the mechanics' notice and lien registry which reflect the
19 location of the registry on an internet site.

20 Code section 572.33A: Strikes an incorrect comma and the
21 word "for" in language describing the circumstances under
22 which an owner of a building, land, or improvement upon which
23 a mechanic's lien may be posted is required to pay a general
24 contractor compensation for work done or material furnished.

25 Code section 572.34: Moves language describing a dollar
26 amount to clarify that it is the posting fee, not the
27 mechanic's lien, that may not exceed forty dollars.

28 Code section 589.4: Replaces a reference to "notaries
29 public" with "notarial officers" to conform this provision
30 relating to acknowledgments by corporation officers to a change
31 made to this Code section by 2013 Iowa Acts, ch. 140, §100.

32 Code section 589.5: Strikes the words "or other official
33 authorized by law to take acknowledgments", which appears after
34 a reference to "notarial officer" in this provision relating to
35 acknowledgments by stockholders of corporations to reflect that

1 the definition of "notarial officer" includes persons who are
2 authorized by law to take acknowledgments.

3 Code section 602.8103A: Moves language establishing a
4 seven-day timeline to clarify that the timeline applies to
5 the transmission, upon request, of the remaining record of an
6 appeal by the clerk, and not to the appeal.

7 Code sections 602.11105, 602.11106, 602.11107: Replaces the
8 words "this Act" with "1983 Iowa Acts, ch. 186" to clarify that
9 the Act referred to in these provisions is that 1983 Act which
10 transitioned court personnel from county to state employment.

11 Code section 631.8: Replaces the word "division" with
12 "chapter" in this provision within the Code chapter governing
13 small claims because Code chapter 631 contains no chapter
14 divisions.

15 Code section 633.304: Rewrites and splits the language
16 relating to the provision of notice of probate of a will with
17 administration to clarify the timeline and contents of the
18 notices that must be made.

19 Code section 656.3: Changes the word "vendor" to "vendee"
20 to correct an error made by 2013 Iowa Acts, ch. 83, §3.
21 The provisions to which this section refers pertain to
22 the forfeiture of property of a vendee under a real estate
23 contract.

24 Code sections 692A.101 and 692A.102: Conforms the language
25 of these provisions to each other and to other similar language
26 in other provisions in these two Code sections that relate
27 to convictions for offenses in other jurisdictions or under
28 military or foreign law which require registration of an
29 offender on the Iowa sex offender registry.

30 Code section 702.17: Restructures to improve citation to
31 this definition of the term "sex act" or "sexual activity" in
32 the Code chapter establishing general definitions for Iowa's
33 criminal code chapters.

34 Code section 715A.1: Reorganizes language to alphabetize
35 the definitions that apply to this Code chapter pertaining to

1 forgery and fraudulent acts.

2 Code section 715A.6: Rewrites language describing when
3 the fraudulent use of a credit card constitutes an aggravated
4 misdemeanor to reflect the addition of a class "C" penalty to
5 this provision, which previously was punishable only as a class
6 "D" felony or an aggravated misdemeanor, by 2003 Iowa Acts, ch.
7 12, §1.

8 Code section 717B.3: Restructures this provision relating
9 to the offense of animal neglect to improve the enumeration of
10 the elements of the offense.

11 Code section 724.1: Renumbers this provision describing
12 what constitutes an offensive weapon to separate provisions
13 which enumerate the types of weapons that are included within
14 the meaning of the term from provisions which enumerate the
15 weapons that are excluded from the term.

16 Code section 809A.16: Adds the words "and answers" to the
17 provision relating to final disposition in an in rem judicial
18 forfeiture proceeding to reflect the addition of owners or
19 interest holders in property who file answers as possible
20 parties to the proceeding to Code section 809A.13 by 2013 Iowa
21 Acts, ch. 41, §1.

22 Code sections 904.905 and 905.12: Replaces language that
23 currently refers to payment of dependent support obligations to
24 offices of the department of human services located in a county
25 in which the dependents reside to language referring to the
26 office or unit serving that county to reflect the fact that the
27 department does not maintain offices in every county in this
28 state.

29 2013 Iowa Acts, ch. 24, section 13: Replaces an incorrect
30 internal Code section reference in this provision relating to a
31 listing of providers that have failed to return overpayments of
32 medical assistance within a specific timeframe with a correct
33 reference to the Code section which establishes the timeframe
34 within which the overpayments must be returned. This change is
35 made retroactive to July 1, 2013, in division IV of the bill.

1 2013 Iowa Acts, ch. 64, section 1: Changes a reference
2 to the agricultural development authority to a reference to
3 "authority" to reflect the transfer, by 2013 Iowa Acts, ch.
4 100, of jurisdiction over chapter 175 from the agricultural
5 development authority to the Iowa finance authority and
6 the replacement of all other references to the agricultural
7 development authority with references to the "authority". This
8 change is made retroactive to July 1, 2013, in division IV of
9 the bill.

10 2013 Iowa Acts, ch. 125, section 25: Changes language
11 requiring the future repeal of all changes made to Code section
12 175.8 in 2013 Iowa Acts, ch. 125, section 25, to reflect the
13 harmonization of changes to subsection 1, unnumbered paragraph
14 1, in which the changes made by 2013 Iowa Acts, ch. 100, §13
15 prevailed over the changes made by 2013 Iowa Acts, ch. 125, §4
16 to that same paragraph, to require the future repeal of changes
17 to subsection 2 of Code section 175.8 only. This change is
18 made retroactive to January 1, 2013, for tax years beginning on
19 or after that date, in division IV of the bill.

20 2013 Iowa Acts, ch. 130: Replaces 2013 Code language which
21 is amended to eliminate references to involuntary commitment
22 proceedings for persons with intellectual disabilities with
23 2014 Code language, which includes changes made to Code section
24 222.61 by 2012 Iowa Acts, ch. 1120, and then applies equivalent
25 amendments to the updated language to permit the codification
26 of the changes made by this 2013 Act in this Code section on
27 July 1, 2014.

28 DIVISION II. The Code sections in this division are
29 amended to correct internal references to provisions which
30 are renumbered, reorganized, or repealed in division I of the
31 bill. The internal reference correction in Code section 135.80
32 corresponds to a similar internal reference in Code section
33 230A.107. In addition, in Code section 422.15, an unnecessary
34 set of parentheses is deleted within Code section text.

35 DIVISION III. The Code sections in this division are amended

1 by updating or correcting federal citations which appear within
2 Code section text.

3 Code sections 11.2, 11.6, 12B.10, 12C.16, 515.35, 518.14,
4 518A.12, 524.901, 602.8103, and 636.23: Updates these
5 references to the federal Investment Company Act of 1940 to
6 reflect the current United States citation for that Act and
7 to conform to similar updates made to similar language in
8 Code sections 511.8 and 633.123A. In Code section 636.23, the
9 brackets around a federal citation are also replaced with
10 commas to reflect the citation style used elsewhere in the
11 Code.

12 Code section 29A.23: Updates these references to the
13 federal Act which relates to documentation of military service
14 to reflect the current United States Code citation for that
15 Act.

16 Code section 125.10: Updates references to the federal Act
17 which relates to the development of a state plan for persons
18 with substance-related disorders to reflect the current United
19 States Code citations for that Act.

20 Code section 125.93: Updates these references to the
21 federal Drug Abuse Office and Treatment Act and the federal
22 Comprehensive Alcohol Abuse and Alcoholism Prevention,
23 Treatment, and Rehabilitation Act to reflect the current United
24 States Code citations for those Acts.

25 Code section 198.7: Updates this reference to the federal
26 Food, Drug, and Cosmetic Act to reflect the current United
27 States Code citation for that Act.

28 Code sections 225C.3, 225C.35, and 225C.47: Updates the
29 name of and citation to the current federal Act which provides
30 assistance for persons with developmental disabilities and
31 which supersedes the prior, repealed federal Act dealing with
32 the same subject.

33 Code section 229.22: Corrects the citation form to the
34 parts of the Code of Federal Regulations in which regulations
35 promulgated in accordance with the federal Health Insurance

1 Portability and Accountability Act of 1996 are contained.
2 Code section 249A.3: Corrects the year of enactment for the
3 federal Omnibus Budget Reconciliation Act, Pub. L. No. 99-272.
4 Code section 249F.1: Corrects the reference to the United
5 States Code provision in which federal Social Security Act
6 section 1614 is codified.
7 Code sections 321.12 and 321.450: Corrects two Code of
8 Federal Regulations citations to reflect that those provisions
9 are parts, not sections, of the Code of Federal Regulations.
10 Code section 325A.6: Corrects this Code of Federal
11 Regulations citation to reflect that this provision is a part,
12 not a chapter, within the Code of Federal Regulations.
13 Code section 327J.1: Updates this reference to the federal
14 Act which creates the national railroad passenger corporation
15 to reflect the current United States Code citation for that
16 Act.
17 Code section 459A.102: Updates the form of a United States
18 Code citation and a Code of Federal Regulations citation to
19 conform to other similar types of citations elsewhere in the
20 Iowa Code.
21 Code section 502.304A: Completes this Code of Federal
22 Regulations citation to rule 505 of the Securities Act of 1933.
23 Code section 513B.2: Updates this reference to the federal
24 law which defines which health care insurance entities are
25 federally qualified health maintenance organizations to reflect
26 the current United States Code citation for that law.
27 Code section 514I.2: Corrects the form of citation for the
28 United States Code provision which defines "health insurance
29 coverage" under federal law.
30 Code section 535.2: Corrects the form of citation for the
31 United States Code provisions in which the federal Securities
32 Exchange Act of 1934 is currently codified.
33 Code section 535.12: Corrects the reference to the United
34 States Code provision which describes which agricultural credit
35 corporations may make, guarantee, or participate in the selling

1 or discounting of loans to the farm credit bank of Omaha,
2 Nebraska.

3 Code sections 551A.3 and 551A.4: Corrects these Code of
4 Federal Regulations citations to reflect that these provisions
5 are parts, not sections.

6 Code section 714B.10: Corrects this Code of Federal
7 Regulations citation to reflect that this provision is a
8 section, not a part.

9 Code section 907B.2: Completes the United States Code
10 citation to this provision from the federal Government in the
11 Sunshine Act relating to the process used to determine whether
12 certain records should be disclosed.

13 DIVISION IV. This division contains the effective date and
14 applicability provisions that apply to provisions which are
15 amended in division I of the bill.